

# NOMINEES TO AFRICAN COUNTRIES

---

## HEARING BEFORE THE COMMITTEE ON FOREIGN RELATIONS UNITED STATES SENATE ONE HUNDRED FIFTH CONGRESS SECOND SESSION

---

JULY 23, 1998

---

Printed for the use of the Committee on Foreign Relations



Available via the World Wide Web: <http://www.access.gpo.gov/congress/senate>

U.S. GOVERNMENT PRINTING OFFICE

50-814 CC

WASHINGTON : 1998

COMMITTEE ON FOREIGN RELATIONS

JESSE HELMS, North Carolina, *Chairman*

RICHARD G. LUGAR, Indiana  
PAUL COVERDELL, Georgia  
CHUCK HAGEL, Nebraska  
GORDON H. SMITH, Oregon  
CRAIG THOMAS, Wyoming  
ROD GRAMS, Minnesota  
JOHN ASHCROFT, Missouri  
BILL FRIST, Tennessee  
SAM BROWNBACK, Kansas

JOSEPH R. BIDEN, JR., Delaware  
PAUL S. SARBANES, Maryland  
CHRISTOPHER J. DODD, Connecticut  
JOHN F. KERRY, Massachusetts  
CHARLES S. ROBB, Virginia  
RUSSELL D. FEINGOLD, Wisconsin  
DIANNE FEINSTEIN, California  
PAUL D. WELLSTONE, Minnesota

JAMES W. NANCE, *Staff Director*  
EDWIN K. HALL, *Minority Staff Director*

## C O N T E N T S

---

	Page
Felder, Robert C., of Florida, nominated to be Ambassador to the Republic of Benin .....	22
Ledesma, James Vela, of California, nominated to be Ambassador to the Gabonese Republic and to serve concurrently and without additional compensation as Ambassador to the Democratic Republic of Sao Tome and Principe .....	6
Melrose, Joseph H. Jr., of Pennsylvania, nominated to be Ambassador to the Republic of Sierre Leone .....	7
Mu, George, of California, nominated to be Ambassador to the Republic of Cote D'Ivoire .....	8
Perry, Robert Cephas, of Virginia, nominated to be Ambassador to the Central African Republic .....	10
Robinson, Kathryn Dee, of Tennessee, nominated to be Ambassador to the Republic of Ghana .....	11
Staples, George McDade, of Kentucky, nominated to be Ambassador to the Republic of Rwanda .....	12
Sullivan, Joseph Gerard, of Virginia, nominated to be Ambassador to the Republic of Angola .....	25
Swing, William Lacy, of North Carolina, nominated to be Ambassador to the Democratic Republic of the Congo .....	23
Yates, John Melvin, of Washington, nominated to be Ambassador to the Republic of Cameroon, and to serve concurrently and without additional compensation as Ambassador to Equatorial Guinea .....	13

### APPENDIX

Responses of Ambassador-Designate Joseph Sullivan to written questions .....	51
Responses of Ambassador-Designate George Staples to written questions .....	64
Responses of Ambassador-Designate Kathryn Dee Robinson to written questions .....	71
Responses of Ambassador-Designate Robert C. Perry to written questions .....	79
Responses of Ambassador-Designate John M. Yates to written questions .....	83
Responses of Ambassador-Designate James V. Ledesma to written questions ..	87
Responses of Ambassador-Designate Joseph H. Melrose to written questions ..	93
Responses of Ambassador-Designate George Mu to written questions .....	101
Responses of Ambassador-Designate Robert C. Felder to written questions ....	106
Responses of Ambassador-Designate William Swing to written questions .....	114
Responses of Ambassador-Designate Joseph Sullivan to written questions .....	128

## NOMINEES TO AFRICAN COUNTRIES

---

THURSDAY, JULY 23, 1998

U.S. SENATE,  
COMMITTEE ON FOREIGN RELATIONS,  
*Washington, DC.*

The committee met, pursuant to notice, at 4:10 p.m., in room SD-419, Dirksen Senate Office Building, Hon. John Ashcroft presiding.

Present: Senators Ashcroft, Frist and Feingold.

Senator ASHCROFT. The hearing will now come to order.

I am delighted to have this opportunity to welcome each individual expressing an interest by attending this hearing, and also to welcome each of the Ambassadorial nominees to the committee: Robert Felder, Ambassador-designate to Benin; James Ledesma, Ambassador-designate to Gabon and other jurisdictions; Joseph Melrose, Ambassador-designate to Sierre Leone; George Mu, Ambassador-designate to Cote d'Ivoire; Robert Perry, Ambassador-designate to the Central African Republic; Dee Robinson, Ambassador-designate to Ghana; George Stapels, Ambassador-designate to Rwanda; Joe Sullivan, Ambassador-designate to Angola; William Swing, Ambassador-designate to the Democratic Republic of the Congo; and John Yates, Ambassador-designate to Cameroon and Equatorial Guinea.

These individuals have been nominated for some very important posts in Africa. I am delighted that our President has seen fit to travel to Africa. I think it is very important that we have that kind of expression of interest regarding such an important continent and so many important people.

The committee looks forward to the testimony that will be brought by these nominees, and to an assessment of the policies that you hope to implement.

Three of the nominees in today's hearings have been principal participants in formulating and implementing U.S. policy toward Haiti. Many concerns persist about the nature of U.S. involvement in Haiti and exactly what type of government the administration sent 20,000 American troops to restore to power. Hopefully some of the outstanding questions about U.S. policy toward Haiti can be answered today as we consider these individuals for their next assignments in Africa.

Once again, congratulations on your nominations. The committee is pleased to welcome Senator Daniel Patrick Moynihan, to introduce John Yates, and Senator Bill Frist, to introduce Dee Robinson, and Congressman Cass Ballenger, to introduce Joe Sullivan. I would like to call on Senator Feingold for opening remarks, and

then we will proceed immediately to Senator Moynihan for his introduction.

Senator FEINGOLD. Thank you very much, Mr. Chairman, for your courtesies and for scheduling this ambitious hearing today, to consider 10 nominations.

I had a chance to say hello to each of you. I congratulate all of you, and hope you have very successful tenures in the countries you are going to be at.

I would like to also just take a minute to speak a bit about the current situation in Nigeria. I know that this country is not on today's agenda, but a number of the countries that we are talking about today are certainly affected by what goes on in Nigeria.

Recent events in Nigeria in the past month are so important to the African continent that I ask for this opportunity. Following the death of General Sani Abacha earlier last month, General Abubakar was named the new head of Nigeria's military government. This week, General Abubakar announced that the military is committed to relinquishing power to a civilian authority and that elections for a new civilian government will be held in May 1999.

He has also pledged to release political prisoners and institute reforms to the judiciary and prison systems, and to respect freedom of expression, association and assembly. I am pleased that General Abubakar has made these commitments to the people of Nigeria, and hope that the United States will proceed cautiously in responding to his words. The United States must make it clear that no sanctions against Nigeria will be lifted until the military government has made real progress in instituting basic political reforms, including a free and fair electoral process and peaceful transition to civilian rule.

It is my hope that General Abubakar and his government will make good on their promises. I also strongly encourage the Nigerian Government to take this opportunity to give the elections a chance at legitimacy and make a truly fresh start in Nigeria by fostering respect for basic human rights and for the sincere differences of opinion among the Nigerian people.

I thank you very much, Mr. Chairman.

[The prepared statement of Senator Feingold follows:]

#### PREPARED STATEMENT OF SENATOR FEINGOLD

Mr. Chairman, thank you for scheduling this hearing today to consider these 10 nominations. I would like to take this opportunity to speak for a moment about the current situation in Nigeria. I know that country is not on the agenda, but recent events in Nigeria in the past month are so important to the African continent that I seek your indulgence to comment upon them briefly.

Following the death of General Sani Abacha early last month, General Abubakar was named the new head of the Nigeria's military government. This week, General Abubakar announced that the military is committed to relinquishing power to a civilian authority, and that elections for a new civilian government will be held in May 1999. He has also pledged to release political prisoners and institute reforms to the judiciary and prison systems and to respect freedom of expression, association, and assembly.

While I am pleased that General Abubakar has made these commitments to the people of Nigeria, I hope that the United States will proceed cautiously in responding to his words. The United States must make clear that no sanctions against Nigeria will be lifted until the military government has made real progress in instituting basic political reforms, including a free and fair electoral process and a peaceful transition to civilian rule.

It is my hope that General Abubakar and his government will make good on their promises. I also strongly encourage the Nigerian government to take this opportunity to give the elections a chance at legitimacy and make a truly fresh start in Nigeria by fostering respect for basic human rights and for the sincere differences of opinion among the Nigerian people.

Thank you, Mr. Chairman.

Senator ASHCROFT. Well, it is a delight to welcome the distinguished senior Senator from the State of New York, Daniel Patrick Moynihan.

Senator MOYNIHAN. Mr. Chairman, I wonder if respectfully might suggest that our colleague from the House be allowed to speak first.

Senator ASHCROFT. I would be very pleased to accede to the judgment of the distinguished senior Senator from New York.

Congressman Cass Ballenger is here to speak in behalf of the nomination of Joe Sullivan.

Mr. BALLENGER. Thank you, Mr. Chairman. It really is a pleasure to be here, and to say a good word for an old friend that I have been with for quite some time.

Joe Sullivan and I worked, when we had the cold war going on, in our part of the world, in Central and South America. We worked together in developing a peace process in Nicaragua and El Salvador. There was a lot of shooting going on then. So that was not what I would call one of the nicest jobs I have ever seen a fellow have. Of course, we were just discussing, the Senator and I, were discussing that maybe it is still even better than where he is going. I do not know. Angola does not strike me as one of the most lovable places that I have seen.

But I think he is well qualified. He has done a wonderful job in helping us develop democracy in Central America. Then he moved on from there to Cuba, and then into Haiti.

My wife and I actually helped get medical equipment into Haiti. Then he helped me; we planted about 3½ million trees there. One of these days, Joe, I am going to go over there and see if the trees are still there. The only thing that worried me about it is, you put them out there, and do they grow?

But, in the meantime, I think with the country is fortunate to have a man of the quality of Joe Sullivan to be able to go to Angola. I realize that it is a very large economic development area for us, as far as oil is concerned.

And, Joe, one thing you do not know—Donna and I actually sent a hospital to Angola sometime in the past. I do not know whether it is still there or not.

But I just would like to say that we are fortunate to have people of the class of Joe Sullivan, who are willing to go to these various areas of the world and represent our country there. So anything I can say or do to assist along those lines, I would be happy to do. He is a wonderful guy.

Senator ASHCROFT. Well, I am sure I speak on behalf of the committee in thanking you for taking time out of your busy schedule to come. I am grateful for your endorsement of this candidate. We will take his candidacy very seriously. Thank you for your contribution. Now, Senator Moynihan, from the State of New York.

Senator MOYNIHAN. Mr. Chairman, Senator Feingold, Senator Frist, I am here to speak on behalf of John Melvin Yates, who is

before you. But I think you have had the experience of meeting all of the nominees who are American Foreign Service Officers. We are proud of each of them. They have all had a proven record and they are going back to prove even more. Power and good fortune to them.

John Yates is a graduate of Stanford and the Fletcher School of Law and Diplomacy. He is listed here as being, from 1973 to 1975, as Special Assistant to the Ambassador, the American Embassy in New Delhi. I would say, within his limits, he kept me out of trouble and got me back. Which I think is more to the point.

He is now, at this moment, Ambassador to Benin, and is being asked to move on to the Republic of Cameroon and to be Ambassador simultaneously to the Republic of Equatorial Guinea. So he will have those two jobs.

He is a career officer, sir, of the highest quality, personal and professional. At the time of his nomination, the White House stated: "Ambassador Yates is among the Department's most experienced African specialists. It is rare that a country is served so well as he has done in so many difficult times, and in dangerous assignments."

He is not alone in this company that comes before you. I most enthusiastically recommend his having been nominated and that you give your advice and consent to his nomination.

Senator ASHCROFT. Well, on behalf of the committee, I thank Senator Moynihan, Representative Ballenger. It is now my pleasure to call upon Senator Bill Frist, the Senator from Tennessee. Thank you very much.

And you may each be excused. I have heard Senator Frist speak before, myself. I am pleased at this time to call upon him to speak in behalf of Dee Robinson.

Senator FRIST. Thank you. Mr. Chairman, I will speak from here rather than the floor, since I am a member of the committee.

I am privileged to present to the committee for approval a fellow Tennessean and the President's nominee to be our next Ambassador to the Republic of Ghana. Kathryn Dee Robinson, or Dee as her family and friends know her, has a truly exemplary and impressive record as a Senior Foreign Service Officer. Since entering the Foreign Service in 1975, Dee has consistently and without pause served in increasingly critical diplomatic postings in Washington and throughout Asia, most recently as our Consul General in our Embassy in Korea, and before that in senior posts in Indonesia, China and India.

She is fluent in Mandarin Chinese, Indonesian and French. This record is much more than a career path. It is a superb illustration of a commitment to the service of her country. That type of service to our country is a tradition that we back in Tennessee hold very dear—that tradition, be it military, public service here at home or in the Foreign Service.

American ambassador to Ghana is the first posting in Africa to which Dee has been recommended. I understand that she is very much looking forward to the challenges this assignment will represent. Indeed, Mr. Chairman, as we both know, Africa has consistently posed enormous challenges to the United States foreign policy

overall. Many of these challenges are humanitarian, as we are now facing with alarming urgency in Sudan.

Many of these challenges are economic, where crumbling infrastructures and crumbling economies have left the American business community with an overly generalized but poor view of any potential benefits. Many are political problems, where cold war divisions, corruption and a myriad of other challenges have left relations with these young, troubled countries inconsistent, rocky and sometimes ineffectual.

Even with this sort of characterization which we too often hear in Washington, Africa presents exceptional opportunities for the United States economically, politically and culturally. As the President's recent trip to Africa shows, to take advantage of these opportunities, time really is of the essence. Ghana has been a leader among African nations in many respects. It was the first European colony in Africa to achieve independence. It is now one of the leaders in political and economic reform that is seeing many encouraging signs of growth across the continent.

It is also a key player in a relative island of stability in a tumultuous West Africa, influential well beyond its size. As the fate of entire nations in the region hang in the balance, that quality cannot be discounted, nor can we forget that Ghana will play a critical role in U.S. policy goals in the region as a consequence.

With all of these factors in mind you begin to see the importance of our official presence there. Noting that importance, it is encouraging that the President has chosen to honor the U.S. commitments to Ghana made during his recent visit there by nominating such an outstanding candidate to be our highest ranking diplomat. The President has thus shown a great deal of confidence in Dee, and I want to echo my own confidence in her abilities and her commitment to our Nation while there.

Mr. Chairman, I would ask that the committee would expeditiously approve this nomination and send it to the full Senate with the high recommendations it deserves.

Thank you, Mr. Chairman.

Senator ASHCROFT. Thank you, Dr. Frist. I appreciate the excellent remarks, and especially the way in which you have emphasized the importance of the Nation of Ghana.

It is my pleasure now to call on the first panel, to be comprised of James Ledesma, and I indicated that he was the Ambassador-designate to Gabon and I did not mention Sao Tome and Principe. As well as Mr. Ledesma, Joseph Melrose, George Mu, Robert Perry, Dee Robinson, George Staples, and John Yates. Would you all please come forward for participation in the first panel.

I am going to indicate to you now that we will not question each of you after you have spoken. We will ask all of you to give you initial remarks, and then we would return to you to ask any questions that occur to us regarding your nominations.

Mr. Ledesma, if you would please begin. Please keep your opening statements to a minimum in length, and then we will have time, after those fellows of yours who are similarly situated, would have an opportunity to speak. Mr. Ledesma.



**STATEMENT OF JAMES VELA LEDESMA, OF CALIFORNIA, NOMINATED TO BE AMBASSADOR TO THE GABONESE REPUBLIC AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR TO THE DEMOCRATIC REPUBLIC OF SAO TOME AND PRINCIPE**

Mr. LEDESMA. Thank you, Mr. Chairman.

Mr. Chairman and members of the committee, I am honored to appear before you today as the President's nominee to be the next American ambassador to the Gabonese Republic and to the Republic of Sao Tome and Principe. If confirmed by the Senate, I look forward to working with the committee and others in Congress to advance the interests of United States in Gabon and Sao Tome and Principe.

Gabon is an island of stability in a very turbulent region. While it is blessed with a wealth of natural resources, including of course petroleum, it is a small country with barely 1.3 million inhabitants. Despite its relative small size, the country's leadership is active in resolving conflicts in such places as the Central African Republic and Congo-Brazzaville, for example. Resolving conflicts such as these is at the forefront of American objectives in Africa. Keeping Gabon engaged in regional mediation and peacekeeping serves our interests in helping to prevent conflicts that may ultimately require huge emergency humanitarian efforts later.

At the same time, Gabon's relative wealth makes it an interesting military for American products and services. American companies are increasingly involved in the petroleum sector, where technology developed by them is helping to maintain a steady supply of oil to the United States. About half of Gabon's yearly exports of oil go to the United States. Our major economic priorities in Gabon will continue to be assuring open markets, progress in economic reform, and reducing impediments to foreign investment.

Advancing democracy and human rights is at the top of the American agenda in Africa and elsewhere. In Gabon, the United States will continue to support positive democratic trends and urge the government to pursue transparency in the electoral process. Presidential elections scheduled for December will be a test of Gabon's determination to carry out free and fair elections. For its part, the United States will support the democratic process by placing election observers in the field. Our efforts will likely be supplemented by the Canadians and the European Union.

If confirmed, I will also be accredited to the island country of Sao Tome and Principe. The American presence there is symbolized by a \$50 million Voice of America transmitter site. Interestingly, that makes the United States the biggest foreign employer in that small country. It is in the interest of the United States to preserve that resource and help to maintain a hospitable political and economic environment.

Finally, Mr. Chairman, let me say that I am deeply honored to be considered for the position of American ambassador to the Gabonese Republic and to the Republic of Sao Tome and Principe. If confirmed, I will bring with me the experience of 26 years in the Foreign Service, and represent overseas America's own cultural diversity. I was most recently Deputy Chief of Mission in Dakar, Senegal, and in Accra, Ghana, before that.

Mr. Chairman and members of the committee, thank you for this opportunity to address you and to respond to any questions you may have.

Senator ASHCROFT. Thank you, Mr. Ledesma.

I would like for you to take the opportunity now, if you care to, to introduce any of your family members or individuals who have come as your guests to the hearing. Then, prior to the remarks of anyone else, I would welcome you to do the same—others to do the same. I do not want you to do that for them.

Mr. LEDESMA. Thank you very much, Mr. Chairman. By all means, I would like to introduce my wife, Francine Bernard Ledesma, and my daughter, Delphine. I would also like to introduce very close friends, Professor Ralph Norville, and his wife Joel, sitting in the back. Then another close friend, Mr. John Garrett, who is also in the back as well.

Senator ASHCROFT. Thank you very much.

Mr. Melrose, we would be very pleased to hear from you. I have asked them to run the clock so that there is a total of 4 minutes allotted for your speaking. If you go over that modestly, you will probably still be confirmed. But please take time to introduce those who have accompanied you to the hearing.

**STATEMENT OF JOSEPH H. MELROSE, JR., OF PENNSYLVANIA,  
NOMINATED TO BE AMBASSADOR TO THE REPUBLIC OF  
SIERRE LEONE**

Mr. MELROSE. Thank you, Mr. Chairman.

Unfortunately, my son was unable to get back for the hearings, because he is continuing some independent study in Africa. But several colleagues from the State Department and the Department of Education did come, Ms. Liza McClanahan, Ms. Beverley Coney, and Mrs. Marsha Pixley.

Mr. Chairman, I will try to speak rapidly to cover the 4 minutes.

Distinguished members of the subcommittee, I am honored to be here today before you as the nominee of President Clinton to be the next Ambassador to Sierra Leone. I believe that my career with the Department of State and my international experiences have thoroughly prepared me for this assignment.

Sierra Leone is a West African country, slightly smaller than South Carolina, with a population of 4.5 million people. Our historical ties with Sierra Leone date back to 1527, when the first slaves in North America were brought from Sierra Leone to the Sea Islands of South Carolina and Georgia. A former British colony, Sierra Leone has been a steadfast friend of the United States. Its sons fought alongside allied forces in both World Wars, and continuing that tradition and responding to our request, Sierra Leone sent a contingent to participate in Operation Desert Storm. There is also a large Sierr Leonean-American population.

The United States has important interests in Sierra Leone. Prior to May 1997, significant steps toward democracy, including the free and fair election of President Ahmad Tejan Kabbah, had been taken in Sierra Leone. However, in May 1997, a military junta temporarily seized power. President Kabbah was eventually restored to office, but the struggle against the rebels continues. Remnants of the Armed Forces Revolutionary Council and Revolution-

ary United Front junta continue to commit terrible human rights violations and atrocities against the population of Sierra Leone. Refugees also have been fleeing the crisis, and represent one of the worst violations of human rights on the continent.

The United States and the world community have recognized the moral imperative in responding to the humanitarian situation. The United States has provided over \$50 million in humanitarian assistance during this fiscal year. We are increasing our emergency assistance to meet needs caused by the junta's terror. As part of this assistance, the Department of Defense has airlifted urgently needed medical supplies to treat mutilation victims of rebel atrocities. President Clinton recently approved the drawdown of emergency refugee and migration assistance funds to enable us to continue to care for the new refugees and other displaced persons.

Second, we have an interest in promoting West African regional security. The trouble in Sierra Leone threatens Guinea as well as the peace and stability in Liberia.

The ultimate goal of the United States and other international actors is the stability and security of Sierra Leone and the West African region. Such an environment will promote democracy and cooperation. The benefits of a stable Sierra Leone are also tangible in terms of a \$149 million export market, as estimated in 1994, and direct U.S. investment in raw mineral resources. Sierra Leone has one of the world's largest and highest quality deposits of rutile, a titanium ore. The American-owned Sierra Rutile Limited represents the largest non-petroleum U.S. investment in West Africa.

If confirmed, I will do my utmost to serve and promote United States interests in Sierra Leone. In the 29 years that I have been a career member of the Foreign Service, I have had broad experience, both in Washington and overseas. I was involved with the establishment of the Multinational Force and Observers in the Sinai Peninsula and served as Executive Secretary of the U.S. Delegation to the Conference on Disarmament in Europe.

In addition, I was the Executive Director of the Near East and South Asian Bureau at the State Department in 1986, and worked for several years in the Office of the Under Secretary for Management. From 1995 until last week, I was the Deputy Chief of Mission at the U.S. Embassy in Lagos, Nigeria, one of our largest posts in Africa. I believe that these assignments have prepared me well for the position of Chief of Mission in Sierra Leone, and I look forward to working with the Senate in the future.

Thank you very much.

Senator ASHCROFT. Thank you very much, Mr. Melrose.

We will now turn to George Mu, of California, to be Ambassador to the Republic of Cote d'Ivoire, for his remarks. Mr. Mu.

**STATEMENT OF GEORGE MU, OF CALIFORNIA, NOMINATED TO  
BE AMBASSADOR TO THE REPUBLIC OF COTE D'IVOIRE**

Mr. MU. Thank you.

I would like to first introduce my wife, Winnie Mu, who is here with me today; a friend and actually my French tutor, Jeff Lang; the State Department Desk Officer who helped me prepare for this testimony, Brian Hunt; and to my contingent of colleagues at the

Department of Commerce, Keith Curtis, Terry Cook, Rebecca Mann, Rob Shipley, and others who came today.

Mr. Chairman and members of the committee, I am honored to appear before you today and to have been nominated by the President and Secretary Albright as the U.S. Ambassador to the Republic of Cote d'Ivoire. I am especially honored to be the first Foreign Commercial Service Officer from the Department of Commerce nominated to be Ambassador.

In my over 25 years in the Foreign Service, I have had the opportunity to serve in various East Asian postings during Asia's remarkable transition into a successful competitor in the global marketplace. It is therefore appropriate that, if confirmed, I will have an opportunity to work in a West African country which has the potential to emulate the Asian Tigers' success. I hope to assist Cote d'Ivoire in achieving this goal while ensuring that American business has full access in its emerging market.

My most recent assignments as Minister Consular for Commercial Affairs in Brussels, Tokyo and Ottawa have enabled me to work with key partners to ensure fair access for American business. In addition, they have required me to manage significant but diminishing resources in carrying out our responsibilities. In these days of shrinking resources and increased responsibilities across the Federal Government, I believe such experience is extremely useful for our Chief of Mission.

If confirmed, I will be going to Cote d'Ivoire at a very interesting period. Cote d'Ivoire appears serious about private sector- and foreign investment-led growth. American business has shown increased interest, and additional direct investments is possible, especially if regional economic integration moves forward. As Chief of Mission, I will consider it one of my primary duties to ensure that American business and investors receive treatment equal to that of all other nationalities.

Politically, Cote d'Ivoire has many challenges ahead of it. While its democratic transition has moved forward, preparations and conduct of the 2000 Presidential elections remain a key benchmark. Human rights is important in our bilateral relations, and I will encourage the Ivorian Government to continue to address outstanding issues, especially in regards to police treatment of suspects and the rights of women.

In closing, allow me to express my thanks to my colleagues at the Department of Commerce, and especially to Secretary Daley and the late Secretary Ron Brown, for the help and support which they have given me throughout my career as a Foreign Commercial Service Officer. I wish to assure the members of the committee that, if confirmed, I would discharge my office as Ambassador to the Republic of Cote d'Ivoire in a manner consistent with the trust which they and the President have placed in me.

Senator ASHCROFT. Thank you very much.

And now we will turn to Mr. Robert Perry, of Virginia, who has been nominated to be Ambassador to the Central African Republic.

**STATEMENT OF ROBERT CEPHAS PERRY, OF VIRGINIA, NOMINATED TO BE AMBASSADOR TO THE CENTRAL AFRICAN REPUBLIC**

Mr. PERRY. Senator, thank you very much.

My wife, Blossom, who is also a Foreign Service Officer, could not be here with us today because she is on home leave in Hawaii with our children, who are university students there. But I do have with me my brother, Chatry Perry, my cousin, Phyllis Dogan, and the Desk Officer from the Central African Republic, Deborah, O'Dell.

Mr. Chairman and members of the committee, I am honored to appear before you today as President Clinton's nominee to be the Ambassador of the United States to the Central African Republic. I am deeply grateful to the President and Secretary Albright for the trust and confidence they have shown in me by this nomination.

Mr. Chairman, Senator, the Central African Republic is a small, underdeveloped country. Recently, political instability and violence drove thousands of people from their homes in the capital city of Bangui, and brought the country's fragile economy to a standstill for over a year. The CAR's leaders and its international friends are working together to restore order and build respect for democratic practices. It is in the U.S. national interest to promote democracy and economic development in Africa. The Central African Republic looks to the United States to exercise leadership in resolving conflicts and establishing the parameters for peace and development. The United States also serves as an example for people of many nations seeking to build democracies which respect human rights and include their citizens in the political process.

While our economic ties to the Central African Republic are limited, its gold and diamond reserves could provide opportunities for American partners. Further, it has a wealth of irreplaceable fauna and flora in its still largely untouched forests. There is also a small resident American community there which it is our responsibility to protect.

Mr. Chairman, if confirmed by the Senate, I look forward to working with members of this committee to ensure that U.S. objectives are pursued efficiently and wisely. I believe that my broad experience in the Foreign Service, which includes Vietnam, Chile, Ethiopia, Mexico, and as Deputy Chief of Mission in Mauritius and Bolivia, have prepared me for the challenges of conflict resolution and nation building in the Central African Republic. My experience with the U.S. military at the National War College, and my visit to Fort Polk, Louisiana, to see our training for peacekeeping operations there, have given me a sense of what we can reasonably expect from such operations. I look forward to working with you, the international community and the Government of the Central African Republic as that nation moves forward.

Thank you, Mr. Chairman, Senator and members of the committee, for your consideration. I will be pleased to respond to any questions that you may have.

Senator ASHCROFT. Thank you very much, Mr. Perry.

Now, we will hear from Dee Robinson, of Tennessee, who has been nominated to be Ambassador to the Republic of Ghana.

**STATEMENT OF KATHRYN DEE ROBINSON, OF TENNESSEE,  
NOMINATED TO BE AMBASSADOR TO THE REPUBLIC OF  
GHANA**

Ms. ROBINSON. Thank you, Senator.

Before presenting my statement, I would like to introduce three persons attending the hearing today. First of all is my mother, Kathryn Robinson, who has come in from Tennessee this morning, my sister, Elaine Robinson, and the State Department's Ghana Desk Officer, Peter O'Donohue.

Mr. Chairman and members of the committee, I am honored and pleased to appear before the committee today and to have been nominated by President Clinton and Secretary Albright to be the next United States Ambassador to the Republic of Ghana.

During my Foreign Service career, I have served in a variety of positions in Asia and in Washington. My most recent assignment was as Minister Consular for Consular Affairs at our Embassy in Seoul, Korea. That and earlier consular assignments taught me the importance of providing U.S. citizens abroad the assistance and good service they have the right to expect from their government, and the priority that must be given to managing U.S. resources efficiently. In other assignments, I helped U.S. companies promote their goods and services overseas, worked to advance U.S. political/military objectives abroad, and dealt with the challenges that transition to a democratic and open economic system pose for developing nations. I also was privileged to spend a year working on international trade and foreign affairs issues as a congressional fellow. If confirmed to be our Ambassador in Accra, I will use the knowledge and experience I acquired in these assignments to advance U.S. interests and our relations with Ghana.

Relations between the United States and Ghana are excellent and, in the wake of President Clinton's visit to Accra last March, are expected to grow even stronger. The positive nature of U.S.-Ghanian relations is underpinned by a long tradition of cultural, scholarly and commercial exchanges between the two countries. The many African Americans who can trace their family origins to Ghana and the thousands of Ghanaians who have studied in the United States have helped form strong bonds that facilitate cooperation on both official and unofficial levels. The U.S. Peace Corps' first overseas mission was established in Ghana in 1961. Today, current as well as former Peace Corps volunteers to Ghana are actively engaged in helping Ghanaians in an array of areas that serve the interest of both countries.

Trade links between Ghana and the United States have grown steadily since Ghana began its transition to a market-oriented economy in the early 1980's. Bilateral trade has expanded over 300 percent in the past 5 years, and Ghana is now our third largest export market in Sub-Saharan Africa. If confirmed as Ambassador, I pledge to continue to make promotion of U.S. trade interests in Ghana a top priority.

After a long and difficult period as a unitary, one-party state, Ghana, in the 1990's, has emerged as a nascent democratic state that serves as a role model for other countries in the region. The Ghanaian Presidential and legislative elections held in late 1996 were described as free and transparent by both domestic and inter-

national observers. Ghana's human rights record is very good. In the few areas where we have concerns, we have constructive dialog on both official and unofficial levels.

A respected participant in peacekeeping operations around the world since 1960, Ghana has long been active in West African regional affairs. Its peacekeeping forces played a crucial role in ending the civil war in Liberia, and Ghanaian diplomatic efforts helped restore the democratically elected government in Sierre Leone. Ghana is now among the countries cooperating with the United States to increase African peacekeeping capabilities through the African Crisis Response Initiative.

I would like to end my statement by thanking you, Mr. Chairman and members of the committee, for your consideration. I am keenly aware of the important responsibilities I will assume, if confirmed as Ambassador, and pledge to carry them out in a manner that serves U.S. interests and reflects well on our Nation and our government.

Thank you.

Senator ASHCROFT. Thank you very much for your presentation. It is my pleasure now to call upon George Staples.

Mr. Staples, please favor us with your remarks, and introduce those who have come to accompany you today.

**STATEMENT OF GEORGE MCDADE STAPLES, OF KENTUCKY,  
NOMINATED TO BE AMBASSADOR TO THE REPUBLIC OF  
RWANDA**

Mr. STAPLES. Thank you very much, Mr. Chairman.

Unfortunately, my wife, Jo Ann, and our daughter, Katherine, are not able to be here today. We just returned from the Middle East. My last assignment was in Manama, Bahrain, as the Deputy Chief of Mission. So they are setting up our house in Kentucky.

But I have had wonderful support in preparing for this event today from our Desk Officer, Eva Rogers, who is sitting in the back, and I would like to recognize her.

Senator ASHCROFT. You my proceed.

Mr. STAPLES. Thank you.

Mr. Chairman, members of the committee, it is an honor for me to come before you today. I am grateful for the confidence the President and the Secretary of State have placed in me, nominating me to be Ambassador to the Republic of Rwanda.

If confirmed, I will work closely with the administration and Congress to promote American values and interests in our relationship with the Government and people of Rwanda, and to encourage the Rwandese people to live together peacefully and rebuild a united nation. This effort will directly support our regional goals of conflict prevention, promotion of internal stability, and economic development.

Rwanda today is engaged in a national effort to overcome the effects of the terrible tragedy of the 1994 genocide. Problems of poverty, refugee resettlement and reconciliation between perpetrators and victims of the genocide remain a continuing challenge for not only Rwanda but the international community as well. The insurgency in the Northwest, in which the perpetrators of the genocide

continue to slaughter innocent victims, continues to fan the fires of ethnic mistrust and suspicion.

Advancing our interests in this environment requires our commitment to help Rwanda achieve the economic and political stability necessary to create a society characterized by mutual respect and cooperation rather than terror. We will work closely with the Government of Rwanda to achieve these goals, which complement and support our determination to promote respect for human rights and the advancement of democracy.

On a personal note, I feel very fortunate to have the opportunity to serve in a challenging post like Rwanda. My career seems to have always revolved around challenging issues, from El Salvador during the early eighties, Uruguay's transition to democracy, and most recently in Bahrain, where Iraq continues to threaten our interests in the Persian Gulf. Having also served in two African posts earlier in my career, I am confident the knowledge and skills I have gained from my previous positions will help in my task of promoting U.S. goals and objectives in Rwanda.

I look forward, if confirmed, to maintaining close contact with the Congress on issues of concern regarding Rwanda. My wife, Jo Ann, joins me in hoping that you and other members will have the opportunity to visit us.

Thank you.

Senator ASHCROFT. Thank you very much, Mr. Staple. I appreciate your presentation to the committee.

And now, before we go to questions, the Honorable John Yates.

Mr. Yates, if you would please favor us with your remarks and any introductions you would care to make.

**STATEMENT OF JOHN MELVIN YATES, OF WASHINGTON, NOMINATED TO BE AMBASSADOR TO THE REPUBLIC OF CAMEROON, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR TO EQUATORIAL GUINEA**

Ambassador YATES. Thank you, Mr. Chairman.

As my wife is also a career member of the Senior Foreign Service, now assigned to Paris, she is unable to be here today. But I do wish to acknowledge her sister, Patricia Fabricante, and my niece, Heather Fabricante, who are present, as well as a friend of longstanding, Jeannie Bergston, who are in the back.

Mr. Chairman and distinguished members of the committee, it is a pleasure to appear before this committee again. I am honored to be the President's nominee to represent the United States as Ambassador to the Republics of Cameroon and Equatorial Guinea, and gratified by Secretary Albright's confidence in me. If confirmed, I look forward to working closely with the members of this committee and other representatives of the legislative branch in fulfilling my affairs in Cameroon and Equatorial Guinea.

I would also like to thank Senator Moynihan for his kind remarks. As the members of the committee may well appreciate, serving as a staff aide to Senator Moynihan was among my more challenging Foreign Service jobs.

Mr. Chairman, I believe I am well prepared for the position for which I am being considered. Some 25 of my more than 34 years



in the State Department have been dealing with African affairs on the continent and in Washington. For the past 3 years, I have been Ambassador to Benin, which is one of the happier stories of applied democratic and economic liberalism on the continent. Prior to that, I spent almost 5 years, first as Deputy Chief of Mission and then as Charge d'Affaires, in Zaire. I have also been Ambassador to the Republic of Cape Verde, and Deputy Chief of Mission in Nigeria and Gabon. Assignments in Mali, Malawi and Algiers balance out this experience in Africa. My five children were all born abroad, and one continues to live and work in Africa.

Mr. Chairman, Cameroon is often described as Africa in miniature for its geographic, ethnic, religious, climatic, cultural, and linguistic diversity. Self-sufficient in food and boasting a wide range of natural resources, Cameroon was once among the richest countries in Africa, and has a potential to regain that distinction. It has begun to recover from a decade of economic stagnation brought about by a combination of poor economic policies and declining commodity prices. It has already made many of the most painful economic policy reforms, and its prospects are good. Its prospects would be infinitely better if commensurate political reforms were instituted. If confirmed as Ambassador, one of my primary objectives would be to seek further political reforms and greater respect for human rights.

Equatorial Guinea has enjoyed dramatic economic growth in recent years thanks to the discovery of oil there by U.S. companies. These companies have invested over a billion dollars in Equatorial Guinea in the last couple of years, and they plan to invest substantially more in the near future. If confirmed as Ambassador, I will seek to ensure that our growing interests in Equatorial Guinea are adequately represented. I will also urge the Government of Equatorial Guinea to use its oil revenue wisely, to open the political system, and to enhance respect for human rights and the rule of law. These measures will lead to greater freedom and prosperity for the Equatorial Guinean people, as well as an improved business climate for U.S. investors.

Thank you again for allowing me to appear before the committee. I would welcome the opportunity to answer any questions the members of the committee may have.

Senator ASHCROFT. I want to thank all the members of the panel for their presentations. I would now begin the questioning by calling on Senator Feingold.

Senator FEINGOLD. Thank you, Mr. Chairman.

In the interest of time, I am going to ask Mr. Staples one specific question with regard to Rwanda, and then ask everybody the same question on another matter. But I do not want this interpreted as not understanding that each of these countries is very important, and our relationship to each of these countries is important, and each of them raises some very interesting questions.

Let me begin, Mr. Staples, by talking to you about the fact that the U.S. is sending out an assessment team to look into providing security assistance to the Rwandan military. I believe it is being deployed next week. This team may be considering the provision of lethal aid to the Rwandan Patriotic Army.

What is your view on the security relationship between U.S. and Rwanda? Do you support the provision of lethal aid? Should there be conditions? What conditions would you recommend placing on this? And, finally, would you recommend instituting a system for monitoring the beneficiaries of U.S. military assistance as well as some kind of a vetting procedure to determine eligibility for training?

If that is too much at once, I will repeat it.

Mr. STAPLES. That is OK, Senator. I think I have got certainly the gist, and the substance as well.

I can only say to you that our relationship, first of all, with the military, as with the Government in Rwanda, is excellent. The military there, as you know, is heavily engaged in trying to ensure security for the country. The main reason for the assessment team is to see what we can do to assist in helping them to stamp out this insurgent activity. You can call it resurgent genocide, if you will—it is still going on in the Northwest of the country, where the former members of the previous government's military and ex-militia members are still attacking innocent people and killing them.

The military of Rwanda needs assistance. The team has to go out and determine, really, what it is going to be.

I cannot say at this time that it would be lethal aid. As you know, up to now, we have provided de-mining assistance, and we have worked with them on civil affairs issues. We are continuing to provide assistance that they have requested on military justice matters. But when the team comes back, we will have to see just what is recommended, and go from there.

As far as monitoring the assistance that we do provide to governments in terms of military aid, that goes on all the time everywhere in the world, with every country that we provide assistance to. We will certainly continue that with whatever we provide to the Rwandans.

Senator FEINGOLD. Well, I would hope that that would be a serious consideration, making sure there is in fact a system for monitoring who benefits from our U.S. military training. I understand you did not take a definite position with regard to the lethal aid, but I would simply indicate that I would be somewhat skeptical of providing that.

I thank you, and I wish you well.

Mr. STAPLES. Thank you very much, Senator.

Senator FEINGOLD. Now, what I would like to do, Mr. Chairman, is just pose this same question to each of the nominees. This is an opportunity, in light of having so many nominees, to sort of compare answers. As you know, the committee recently approved an OECD convention to combat bribery of foreign public officials, which will serve to strengthen laws against bribery in more than 30 mostly developed countries.

According to recent testimony by Under Secretary Stuart Eisenstadt, it has been more difficult to move the OAU, the Organization of African Unity, to enact a similar multilateral effort. Just briefly discuss for me the effectiveness of the efforts of your prospective host country governments to combat corruption. To what degree is corruption a hindrance to greater involvement by

the U.S. private sector? And what do you think you can do as an ambassador to assist us in combatting this problem?

And let us start with Mr. Yates.

Ambassador YATES. Thank you, Senator.

I would like to say that currently I am in Benin. In fact we have had former World Bank President McNamara there, and we work very closely with the Beninese Government on this issue of corruption, and we were able to institute several provisions for the awarding of international contracts to help protect against it.

In Cameroon, which I know much less well so far, I understand that in fact in the past corruption has been a problem and that with the World Bank and with our own urging, in the last 2 years, several reform measures have been undertaken. I think there is much more to be done. I cannot speak very much more to the Cameroon condition because I have not quite been there yet.

Senator FEINGOLD. Thank you.

Ms. Robinson?

Ms. ROBINSON. Senator, corruption is a problem in Ghana. I think it is most pervasive in the public sector, but it also permeates the private sector. It is also something that we and the international business community point out frequently to the Ghanaian authorities is a serious disincentive to investment in Ghana. This is an issue that the Embassy in Accra engaged the Ghanaian authorities as well as private sector entities in Ghana on a regular basis. If I am confirmed, we will continue to do so.

Senator FEINGOLD. Mr. Ledesma?

Mr. LEDESMA. Senator, indeed, corruption does exist in Gabon and, no doubt, in Sao Tome and Principe as well. Certainly the OECD Convention and the U.S. legislation which very much inspired those discussions, have gone a long way, I think, in setting the record down and setting a standard that others can live by. So that is something that is enormously helpful to us in the field in pursuing and combatting corruption, which takes away so many resources that are very valuable and that are needed for development processes that are going on there.

I would certainly, as Ambassador there, pursue the subject. There are democracy funds that are available for us, for example, to provide assistance to civil society groups that would speak out on these issues. I would pursue that.

I would also pursue the limited funds available to us through the U.S. Information Agency, in international visitor grants, for example, to identify individuals who are prominent in business and in the economy, and to provide them with an experience in the United States, so they could see how business is done here, to help bring up the standards of comportment in the business area.

Those are just some of the things that I would do if I were there.

Senator FEINGOLD. Thank you very much.

Mr. Melrose?

Mr. MELROSE. There is no question that corruption has assisted with the problems in Sierre Leone—the trading of diamonds for weapons and other activities has taken place over the past recent period of time. Unfortunately, as you know, our Embassy has been closed for almost a year. It recently opened last month on a very

limited basis. So our ability to influence or report on this has not been present.

Going back to your opening statement, Senator Feingold, one of the things I am hopeful for, in terms of the continent of Africa as a whole, is the recent release of General Olsege Abasanjo, who is one of the leading lights in the founding of Transparency International and the African Leadership Forum, which has been and continued—although to a limited extent, during his incarceration—to be one of the groups that has spoken out against corruption in Africa in general. Hopefully he will resume his position on the Transparency Council and can continue his efforts.

Thank you.

Senator FEINGOLD. Mr. Mu?

Mr. MU. Yes, Mr. Senator. If I could, the commercial interests and commercial practices in the country of Cote d'Ivoire is very, very important to American business and the government in promoting economic development in West Africa. In fact, 2 weeks ago, or about 2 weeks ago, when Secretary Rubin visited there Abujon, he signed the OPIC agreement, extending insurance guarantees for American investments in that area. He talked about things that needed to be done to consummate the bilateral tax treaty, the bilateral investment agreement with that country.

In short, these are components that would make the environment for investment and doing business in the Ivory Coast a lot more attractive to American businessmen. A subject that he also covered was the subject that you raised. There is no doubt that more needs to be done in this area. My colleague just mentioned the word "transparency." This is something that our Embassy, and all elements of our Embassy, work at constantly, in trying to put more transparency in the economic system. Doing away with corruption, or diminishing corruption to nothing, is certainly one of the things we do and one I intend to continue to do if I am confirmed as Ambassador there.

Thank you.

Senator FEINGOLD. Thank you.

Mr. Perry?

Mr. PERRY. Senator, thank you very much.

I think the Central African Republic has paid the price for corrupt public practices. Because that was one of the factors that led to mutinies on the part of the armed forces. Because they had not been paid for several months, they paid a price for that.

Now, the Central African Republic is under an IMF stabilization agreement. One of the conditions of that is that they pay public servants, both civilian and military, current salaries and also try to make up for arrears. They are paid up on current salaries since January and are still in the process of trying to address arrearages on salaries from the past.

Another positive sign is their decision to privatize some of the state-owned companies, both telecommunications and petrochemicals—the petroleum sector. I think that is positive, because government-owned corporations are frequently the source of corruption. If they are put in the private sector, I think it will be to the benefit both in terms of efficiency of operation as well as the use of revenues.

I think I could also draw upon my experience in Bolivia, where they had a program called Popular Participation, which decentralized central government authority down to the village level, the municipal level, and set up committees to see how mayors were using the funds. It more or less made elected officials accountable to the people. I think that is a principle that can be applied usefully in any country. Hopefully that is something I can at least call to the attention of authorities there, that they might learn from. Because Bolivia is also at a comparable level of development to the Central African Republic, and they have worked through their problems.

Senator FEINGOLD. Thank you very much.

And, Mr. Staples?

Mr. STAPLES. On Rwanda, I am not really in a position to say a great deal at this time. Certainly the previous government, which promulgated the genocide, had serious allegations of corruption lodged against it. The new government has been involved in trying to just basically reconstitute the country.

And in a land where so many trained professionals were murdered or fled, trying to find competent people, trying to reconstitute ministries, trying to get the government up and running again, and running effectively, has been a big challenge. The country has depended a great deal on aid and assistance. Just last month, it signed an agreement with the IMF. I would believe that the aid donors, the international donors, would have in place certain controls and a watchdog function to watch how their moneys were being spent.

Certainly it bears watching regardless of the size of the country or its economic capacities. That is something that I will certainly keep an eye on.

Senator FEINGOLD. I want to thank all of you. I just would ask you to encourage the governments of each of these countries to understand the OECD effort and to see if they would look into the appropriateness of joining that effort.

Thanks, Mr. Chairman.

Senator ASHCROFT. Thank you, Senator Feingold.

Mr. Ledesma, President Bongo has a decided advantage entering the next Presidential election, and in the past he has undermined his opponents. Are there any steps that you would see it would be appropriate for you to take as an ambassador to encourage an opportunity for legitimate and vigorous opposition? Are there any ways that you would seek to discourage government repression of what might otherwise be a free election?

Mr. LEDESMA. Yes, thank you, Senator.

Indeed, I mentioned in my statement that at present the American Embassy there is organizing and helping to facilitate the placement of observers for those elections that are to take place in December. That, we are hopeful, will be a very positive thing in indicating to the Government of Gabon and all others that there are international observers there to look over and to watch what is going on. I think that that can be a very positive thing.

I must say that I was, as I mentioned, also DCM, Deputy Chief of Mission, in Accra, Ghana, where I saw quite an elaborate effort undertaken there with international observers, with U.S. funding—

many of them from the Carter Center and elsewhere. Those Presidential elections did go well. I think very much in part due to the presence of international observers who were there looking over people's shoulders. So that can be a very good and positive influence.

Senator ASHCROFT. Are there any things that could be done in advance of the election to assure the opportunity for the kind of debate and discussion which would provide a parity in the politics?

Mr. LEDESMA. Well, certainly, if I am confirmed and get there before those elections take place, it will certainly be high on my agenda to take that up with President Bongo when he is there. So I will use my influence, in my discussions with him, to urge an open and transparent system.

I would say one more thing that I mentioned also, the limited USIA, U.S. Information Agency, funds available to us. We can also, in some places and hopefully could do in Gabon as well, initiate seminars to educate the press to their role in monitoring as a watchdog over public activities. This also is a very powerful instrument and one that I would want to encourage as well—upgrading the quality of the press during the elections.

Senator ASHCROFT. Certainly I commend you for the development of the doctrine of Ambassadorial fast track in your answer. And there are others of you that may want to embrace the theory.

Mr. Melrose, some experts indicate that rebels in Sierre Leone are receiving support from Charles Taylor, President of Liberia. Do you have a sense for the integrity of those reports, the validity thereof? And if these reports are true, what would be the implications for U.S. policy toward Liberia?

Mr. MELROSE. Mr. Chairman, from time to time over the last year or so there have been reports that Charles Taylor or members of his government have been aiding the rebels in Sierre Leone. Unfortunately, we do not have any solid evidence that supports that.

If it were the case, it would certainly not be a good omen for the future of Sierre Leone. I personally am much more optimistic with the possibility of cooperation between Charles Taylor and President Kabbah, given the early July—July 1, I believe it was—meeting between the two of them in Abuja with the new head of state of Nigeria and the Secretary-General of the United Nations. This seemed to indicate a greater willingness for cooperation on the part of Charles Taylor in resolving the Sierre Leone situation.

Earlier this week, our Special Envoy, Reverend Jesse Jackson, had a followup meeting in Monrovia with President Kabbah and President Taylor. These, I think, are positive indications for the future.

Senator ASHCROFT. Thank you.

Mr. Mu, Alassane Ouattara, a highly qualified economist and former Prime Minister, has indicated he would return to Cote d'Ivoire and become involved in politics again. What role do you see Ouattara as playing in the opposition in the future? And do you have any idea of why the opposition potential there seems to have struggled so much in Cote d'Ivoire?

Mr. MU. As I understand it, I think he made a public announcement that he would be leaving the IMF and returning to Cote d'Ivoire.

Senator ASHCROFT. Could you pull that microphone closer to you? We are having trouble hearing you.

Mr. MU. Oh, sure.

Cote d'Ivoire will be holding a Presidential election in the year 2000. Much of what we have done all lead up to it. What we have been pushing for is a broad-based, open and transparent and actively contested election. They had an election, a multi-party election, in 1995, in which members of the opposition did boycott the election because of clauses in the Constitution that required both parents of candidates to be natural born Ivorians. Some of the opposition candidates—and I believe Mr. Ouattara was one of them—was not able to do so, was not able to run and, hence there was a boycott by that opposition party.

There is no doubt that he is very, very popular. He has said that he would challenge this and he would go back into politics and hopefully be the candidate for the opposition party starting next year, leading up to the election in 2000. As I said, our position has been, in almost every visit we make, every chance we have, to talk to the Ivorian Government at the highest levels, at the ministries, is that we want an open, we want a transparent and a free election, whereby all opposition parties and candidates will have a chance.

And that is something we will continue to do when and if I get there.

Senator ASHCROFT. Thank you very much.

Ms. Robinson, President Rawlings is prevented by Ghana's Constitution from running for a third term, it is my understanding, in the year 2000.

Ms. ROBINSON. That is correct, sir.

Senator ASHCROFT. Is President Rawlings taking steps to prolong his hold on power even though he may not be able to run for President? And what steps would you take as Ambassador to encourage a legitimate transition? It seems that transitions are the real testing times for diagnosing democracies.

Ms. ROBINSON. Earlier this year, President Rawlings indicated that he did not intend to run for a third term and that his own personal choice as his successor is the current Vice President, Vice President Mills, who is highly respected by most observers.

At this point, I do not believe there have been any indications that President Rawlings is going to take steps to maintain a significant hold on actual power in Ghana. But obviously it is something that, over the next few years, the U.S. Embassy in Accra will be looking at very, very carefully. Because, as you say, the 1996 elections, which most observers said were free and transparent, were but the first step. The critical elections will be the next ones that will take place in the year 2000.

So that a key issue for the U.S. Embassy in Accra over the next few years is the willingness of the government to allow the democratic process to go forward in an open way, so that the political positions can be contested openly.

Senator ASHCROFT. Thank you very much.

Mr. Staples, can you assess the long-term prospect for reconciliation in Rwanda? There are just lots of questions. Kofi Annan was criticized severely during his recent visit to the country. There was

a suggestion that both he and U.S. officials knew a lot in advance of the genocide attack. So there are still lots of—apparently lots of heat in that situation. I could understand that. But what is the long-term prospect for reconciliation in Rwanda?

And do you have any idea of what the government might be doing or what we might urge them to do to cultivate a stable, pluralistic system that was not tilted so aggressively toward one group or another? Do you have an idea of policies that you would implement to bring about that kind of potential for quite and peaceable lives in Rwanda?

Mr. STAPLES. Yes, Mr. Chairman. I think that the prospects are better than they were, say, 3 or 4 years ago. The country, for the most part, except for in the Northwest, is at peace. After the massive influx and return of refugees, most of them have been able to settle. Although there are still shortages in housing, and of course poverty is a problem, et cetera.

The government is working hard to get a message out on the need to be united, to recognize that you have to put the ethnic differences aside, and that there is one country and people must live together. We have supported that, as we should, and have used our public information resources—the visits of the Secretary of State and the President—to underscore the need to work together, and have tried regionally to involve the leaders there, as well, to ensure that everyone in the Great Lakes region understands the need to prevent a renewal of conflict and any further action that could spark any kind of a refugee exodus.

Longer term, I think this is one of the things that you just have to work at. I think we have to use our ability as diplomats to get out and meet people, to show them how we as Americans, diverse as we are, live together and work well together, and to make absolute use of vehicles such as the Voice of America, our U.S. Information programs, to spread the right kind of message, and to encourage those Rwandans who are trying to do the same.

I think, over time, it will work. It is just something that I think we just have to keep pushing at. But, as you have noted, there is a bitterness. There are people who, throughout the country, saw relatives and friends killed before their eyes. It is something that it is a wonder in a way that they have made such progress as they have.

Senator ASHCROFT. And it is hard to think about the events in Rwanda without even anticipating greater rancor and difficulty.

I want to thank all of you for coming and for the service that you have rendered to this great country. Frankly, each of you is represented, not just by what you have said here today but by a heritage of involvement and dedication that I wish you well in all your endeavors to serve this country and this Nation and thank you for being here to participate in the way that you have today.

And with that, I would welcome you to follow the example set by Senators Frist and Feingold, if you choose to. But we have another panel to which we will address ourselves. Thank you. Nice to see you.

We will take about 3 minutes.

[Recess.]



Senator ASHCROFT. It is now my pleasure to introduce, or call upon, the second panel: Robert Felder, William Swing, and Joe Sullivan. If we could just begin with your statements. If you could limit your statements to 4 or 5 minutes—4 minutes preferably—we will go through all of the statements first, and then Senator Feingold will be called upon to ask questions, as we did with the previous panel. Then I will have an opportunity to ask questions of you. Mr. Felder, if you would please begin.

**STATEMENT OF ROBERT C. FELDER, OF FLORIDA, NOMINATED TO BE AMBASSADOR TO THE REPUBLIC OF BENIN**

Mr. FELDER. Mr. Chairman, let me say first that I very much regret that my wife is unable to be here today. She is at our home in Florida. My children are both adults and married and on about their business. But I am delighted to say that my college roommate, Mr. Daniel Flaherty, is here today. I do want to acknowledge Mr. Brian Hunt, who is filling in on the West Africa Desk this summer, and has done a wonderful job in helping me prepare.

Senator ASHCROFT. Would these guests please stand so we can acknowledge your presence.

Thank you.

Mr. FELDER. Mr. Chairman, Senator Feingold, I am deeply honored to appear before you today as the administration's nominee to be Ambassador to the Republic of Benin. I am grateful for the confidence which President Clinton and Secretary Albright have placed in me. I look forward to serving the United States in Benin.

This is a particularly proud occasion for me. I have spent my entire adult life, 32 years, working for our country as a member of the Foreign Service. Most of my postings and assignments have involved countries of this hemisphere. Over the past 8 years, I have served as Deputy Chief of Mission in Caracas, Venezuela; Director of the Office of Mexican Affairs in the State Department; and Deputy Chief of Mission in Port au Prince, Haiti. In these postings, as in others before them, I have sought to advance core American values while defending American interests as best I could in each circumstance.

While I have concentrated on Inter-American affairs, I also have ties to an experience in Africa. While still a student at Williams College, I participated in what I understand to have been the first ever exchange program sending U.S. university students to Africa. I was the first American to attend University College in Nairobi. Years later, I had the opportunity to serve as a Political Officer at Embassy Nairobi. From there I went to the Seychelles Islands, where I was Charge d'Affaires for 2 years.

Mr. Chairman, Benin is at an important moment in its history. The country has successfully made what can only be termed a remarkable transition from a closed Marxist dictatorship to an open free market democracy. The Beninese have successfully conducted two free and fair Presidential elections, both of which resulted in the peaceful transfer of power. Benin has what at least one human rights organization has called the best human rights record on the African subcontinent. The country has continued along the sometimes difficult path of economic reform, and has made great strides in eliminating state control of the economy. All of these achieve-

ments have resulted in Benin forming a model democracy which we can only hope will be emulated by its neighbors.

This is not to suggest that Benin's record has been perfect. There remain critical outstanding problems which must be addressed, most importantly in the areas of education and the strengthening of civil society. If confirmed, it is my intention as Ambassador to continue to work with the Beninese Government and nongovernmental organizations to create a mature, fully functioning democracy in Benin.

Mr. Chairman, thank you for providing me with the opportunity to share these thoughts with you. I am privileged to have been nominated to be Ambassador to Benin. Throughout my career, my approach has always been characterized by constructive dialog with Members of Congress and their staffs about issues which have arisen as we have all striven to do what is best. If confirmed, I will look forward to a continuing relationship with this committee as I take up my duties in Cotonou.

Thank you.

Senator ASHCROFT. Thank you very much, Mr. Felder.

It is my pleasure now to call upon William Swing, the Ambassador-designate to the Democratic Republic of the Congo.

**STATEMENT OF WILLIAM LACY SWING, OF NORTH CAROLINA,  
NOMINATED TO BE AMBASSADOR TO THE DEMOCRATIC RE-  
PUBLIC OF THE CONGO**

Ambassador SWING. Thank you very much, Mr. Chairman, Senator Feingold.

First of all, I would like to introduce my wife, Yuen Cheong, who is sitting in the front row. Both Yuen and I regret that at this time our two grown children cannot be with us, as they were when we went to Haiti.

When I was Ambassador in South Africa, our son Brian fell in love with Capetown and, more importantly, with a Capetownian, and he is now a businessman in South Africa. Gabrielle, our daughter, is a U.N. peacekeeper in Bosnia, having just been reassigned there from Croatia. So I hope you will excuse them. They would love to be here.

I would also like to acknowledge the presence of our Desk Officer, Mr. Jim Swan, who has been terrific in getting me ready for this assignment, if confirmed.

I also would like to introduce my Congolese instructor in the Lingala language, who has come all this way to be with us today, Mr. Sambale Taka.

Mr. Taka.

Mr. Chairman, Mr. Senator, members of the committee, it is, as with my colleagues, a great honor to come before you today in accordance with Article I of our Constitution. I of course, like my colleagues, am deeply grateful for the confidence which both the President and the Secretary have placed in me, in nominating me to be Ambassador to the Democratic Republic of the Congo.

If confirmed, I want to assure you that I will work hard and closely with the administration and the Congress to promote American interests, objectives and values in the Congo and the Central African region. Our goal is quite clear: a democratic Congo, stable

and prosperous, whose leaders respect their people's rights and are committed to their well being. As Secretary Albright said in her visit to Kinshasha in December, "Congo matters to the United States because its size, location and resources make it key to the future of Central, Eastern and Southern Africa. Its progress can help stabilize half a continent and can spark growth and promote regional integration from Kampala to Cape Town."

On a personal note, if you will permit me, it has been my great good fortune to spend most of my career and my adult life in Africa. Much of this has been in Central Africa. It has also been my high privilege, with the Senate's approbation, to represent our country in five, and if confirmed six, "transitional" societies: South Africa, Nigeria, Liberia, Congo-Brazzaville, and, until recently, Haiti. While each is unique, all six share a dual Colonial heritage: colonized once by foreigners and, after independence, by one or more cliques of their own people, a family, an ethnic group, the army, or a strongman. These domestic colonizers take their own people hostage, plunder national wealth through corruption for personal gain, and ultimately leave their country in ruin. Thus, while the flush of independence of the 1960's was a time of euphoric expectations, deep disappointment was soon to follow. "One man, one vote—once" became the norm in a cycle of instability, mismanagement and natural and human disasters.

Africa today is much changed from that time 35 years ago when I first touched African cycle at then Leopoldville—now Kinshasha—in 1963. More African nations than not are trying to pursue a democratic path, and positive economic growth rates are foreseen. Dramatic recent events, from the Cape to the Congo and beyond, could toll the end of 30 years of what I have termed "domestic colonialism," just as Namibian independence in 1990 marked the close of a century of foreign domination in Africa. Much of the continent is entering a new era, with new leaders and new possibilities.

The Congolese people, of course, are the primary agents of their history. We admire their patient determination to build a better future for their children through democracy, respect for human rights, and sensible economic policies. If they can realize these legitimate aspirations and the country's enormous potential, then, as a colleague recently said, "the Congo should serve as an engine of growth for the entire region, and as a bridge between the relatively developed economies of Southern and Eastern Africa and the relatively poor economies of Central Africa."

In closing, let me just say that the Congo will need our support and that of all of its friends, however, as it seeks to address the devastation left behind by Africa's longest ruling despot. I look forward, if confirmed, to maintaining close touch with the Congress as the Congo confronts these daunting challenges.

I and my wife, Yuen Cheong, who will again be my partner in this undertaking, both hope that you and many other members will visit the Congo during our time there.

Thank you.

Senator ASHCROFT. Thank you. Now I call upon Mr. Sullivan to make remarks.

**STATEMENT OF JOSEPH GERARD SULLIVAN, OF VIRGINIA,  
NOMINATED TO BE AMBASSADOR TO THE REPUBLIC OF AN-  
GOLA**

Mr. SULLIVAN. Thank you, Mr. Chairman, Senator Feingold.

My children and family are scattered along the Eastern Seaboard and could not be here, but I wish to thank friends for their presence: Ambassador Vicky Huddleston; Andrew Simpkin and his son; Jack O'Rourke; Lou Kaye; my Portuguese instructor, Donna Zoay; the Desk Officer for Angola, John Secarra, who together with his colleagues on the Angola Desk have done an excellent job of preparing me for this hearing. Thank you.

Mr. Chairman and members of the committee, I am honored to appear before you today, and privileged by the trust placed in me by President Clinton and Secretary Albright, in nominating me to serve as the United States Ambassador to Angola. If confirmed by the Senate, I look forward to working closely with the committee and others in the Congress on behalf of our country.

During my 28 years in the United States Foreign Service, I have been fortunate to have worked frequently on countries making the difficult transition to democracy or emerging from years of internal conflict. I served in our Embassy in Portugal in the years following the Portuguese Revolution, and worked with many of those Portuguese who made the transition from dictatorship and postrevolutionary instability to vigorous and prosperous democracy. I also worked on Central American issues in the years when Nicaragua was beginning its democratic transformation, and when the parties in El Salvador negotiated a peace agreement which put an end to their decade-long armed conflict in favor of peaceful competition in a reformed democratic system.

This past year I served as head of the United States Delegation to the Israel-Lebanon Monitoring Group, which oversees the April 1996 understanding, brokered by the United States and whereby Israel, Lebanon and Syria have committed to reduce the consequences for civilians of that conflict.

I believe that the above experience has prepared me for the great challenges that would face me, if confirmed by the Senate, to be Ambassador to Angola. Angola has been in nearly continuous conflict for 37 years, since the beginning of its wars of national liberation. This conflict has killed over half a million people and displaced millions. The 1994 Lusaka Protocol, agreed to by the Angolan Government and UNITA, has helped to bring Angola its longest period of peace since independence, enabling the return of 1 million Angolans to their homes and establishing a unity government.

There have recently been setbacks in the process, including the tragic death of United Nations Special Representative Maitre Beye, who devoted his life to the cause of peace in Angola. Angola faces an important moment in the long struggle to end the suffering of its people, to strengthen democratic institutions, and to make economic reforms necessary for the Angolan people to benefit from Angola's tremendous economic potential.

Mr. Chairman, the United States has lent strong support to the implementation of the Lusaka Protocol, and serves as a member of the Troika, which acts in support of the United Nations peace efforts. The United States also has strong economic ties to Angola.

The United States is the third leading trading partner in Africa, the second leading site in Africa of U.S. investment, and the source of 7 percent of U.S. oil imports.

The American people and the U.S. Government also have a great humanitarian interest in alleviating suffering of the Angolan people caused by the prolonged conflict. We provide food to the hungry and prosthetics to the maimed. We are also providing seeds and resettlement assistance to returning displaced persons so that they might support themselves, and are helping to strengthen the elected National Assembly and civil society.

Mr. Chairman, if confirmed by the Senate, I pledge to devote my utmost efforts to working on these challenges on behalf of the U.S. Government and the American people. Thank you.

Senator ASHCROFT. I would call upon Senator Feingold to begin questions.

Senator FEINGOLD. Thank you, Mr. Chairman.

I will begin with Mr. Sullivan with regard to Angola. As you suggested, conditions in Angola were looking relatively good last year, but the implementation of the Lusaka Protocol has been less than stellar in recent months. I wonder if you could elaborate a little more on your assessment of prospects for peace in Angola, the reason for the setbacks and, in particular, the impact of the death of Dr. Beye on the peace process?

Mr. SULLIVAN. Yes, Senator, thank you.

Until April of this year, there was slow and sometimes delayed progress in implementation of the Lusaka Protocol, but the progress was gradually and erratically forward. At that point, the principal remaining obstacle was the return to government control of four centers in the Highlands of Angola that UNITA had not yet returned to government control.

UNITA had agreed to a schedule and actually has reached agreement five times in the course of this year to return those four centers at an agreed upon date. UNITA did not carry out the return of these centers, and consequently the United Nations Security Council voted new sanctions upon UNITA, which took effect on July 1 of this year.

UNITA did declare itself demobilized in the spring of this year. The United Nations and the Joint Commission accepted that declaration of demobilization. Unfortunately, it is subsequently clear that UNITA has maintained troops, regular and irregular troops, who have carried out attacks. There now appear to be as many as 55 towns and centers that have been retaken by UNITA since April of this year.

So all of these are serious issues. The tragic death of Dr. Beye has certainly made it more difficult to put the process back on track. We think it is absolutely critical that it get back on track. All parties continue to state that they are committed to implement the Lusaka Protocol. We think it requires a maximum effort by the United Nations, by the Troika, including the United States, to do everything possible to accomplish that.

Senator FEINGOLD. I share your comments on Dr. Beye, having watched him in action at the U.N. Headquarters in Angola in 1994, and sensing his great intensity and desire to make this process work.

Is U.N. planning to replace Dr. Beye with a new appointment?

Mr. SULLIVAN. Yes, they are. The Secretary-General, Senator, will have the responsibility of nominating a new Special Representative. We understand he is engaged in an intensive search. We think it extremely important that a new representative be named as soon as possible to re-energize the process.

Senator FEINGOLD. I would agree with that.

The wide dispersal of land mines in Angola is a tremendous hindrance in many ways, and in particular to economic recovery in the rural areas. What are the current estimates of the number of land mines remaining in Angola? And what efforts are underway to remove them? And how is the United States helping in the de-mining?

Mr. SULLIVAN. The estimate of land mines, of course, is a very variable science. I have heard numbers all the way from 5 million to 10 million. I think the numbers that appear to have the greater credibility are the ones closer to the lower end of that spectrum. But 6 million or 7 million land mines is more than enough certainly, and have caused a tremendous amount of tragedy and suffering in that country.

Perhaps the single saddest event is that there is evidence of renewed de-mining once again in the area of the Central Highlands, particularly surrounding these four towns, Undulu, Bailundu, in the Central Highlands where UNITA has its greatest area of strength.

The international community has made a great effort to both educate the public on how to avoid land mines and how to avoid the tragic casualties that they have caused, and also to remove land mines where that is possible. The United States has been an active contributor in this process, originally with Department of Defense, but now, under the newly appropriated funds under the 150 account, we will be contributing in that area, as well. It is my understanding that we will be contributing in total approximately \$5 million to that effort this year.

Senator FEINGOLD. Thank you. I certainly wish you well in your efforts.

Mr. Felder, Benin's early experience with democracy, as you pointed out, is often held up as an example of a very positive democratic transition in Africa. With the reelection in 1996 of former President Kerekou, there have been some fears of a setback. Are you confident that that will not occur, or are you in some way concerned about that?

Mr. FELDER. Thank you, Senator.

President Kerekou was the person in the late eighties who called for the national conference which led to the demise of its own regime. He then presided over what were characterized by all international observers as a free, fair and transparent elections won by his opponent, and turned over power to that opponent. So his metamorphosis, if you will, began a long time ago.

Since he has become President again—elected this time—of Benin, he has followed the Constitution that was written in 1991, and has continued to pursue the structural adjustment policies that were agreed to with the international financial community by his predecessor.

The human rights situation in Benin remains very, very good by comparison with other African countries, although there still is progress which needs to be made.

So, although I have not yet had the opportunity to meet President Kerekou, I believe, based on what I have learned, that we have reason to be optimistic in that area.

Senator FEINGOLD. How have the Benin Government and the people reacted to the recent events in Nigeria? And what consequences would continued instability in Nigeria have for Benin?

Mr. FELDER. Continued instability in Nigeria would have very unfortunate consequences for Benin. First of all, because they have a border, and any situation which created refugees would be very difficult for Benin, but also because a great deal of the Beninese economy depends on transit trade. If Nigeria has a problem, Benin has a problem.

I think the people in Benin are concerned about Nigeria. But I do not have specific details about Beninese reaction to recent developments in Nigeria.

Senator FEINGOLD. Thank you.

Finally, Ambassador Swing, concerns have obviously been raised that the termination of U.N. Secretary-General investigative team probe into massacres that occurred in the Congo during Kabila's rise to power may leave these crimes unaccounted for. Some believe that the weak Presidential statement issued by the U.N. Security Council last week indicates that the United States is not serious about pushing for accountability for these crimes.

How would you respond to these charges?

Ambassador SWING. Well, thank you, Senator, for the question. This is of course a critical one.

We have, from the very beginning, supported the U.N. Special Investigative Team in its efforts to get to the bottom of what actually happened between March 1, 1993 and December 31, 1997. As you know, countless lives were lost in that period, and many of them unaccounted for.

We were of course, like the rest of the community, deeply disappointed when the Secretary-General found it necessary to recall his team in April. We understood the necessity for doing that, because they simply were not getting the level of cooperation that would have been needed to conclude their inquiry.

We did, however, believe it important that they go ahead and submit the report. They did. It is the Presidential statement on that report, I believe, to which you refer.

We certainly, within that statement, support the continued investigation of those atrocities by the government not only of the Democratic Republic of the Congo but also of Rwanda. We have made that clear. We also have for a long time supported the OAU's Eminent Persons Panel, which has now been named and I think is ready to operate, which would also investigate them further.

So we think it is important that the inquiry continue. We hope that the governments involved will be able to bring the evidence that is necessary to find the perpetrators and to bring them to justice.

Senator FEINGOLD. Ambassador, in addition to the suggestions you just made, would you recommend that the United States seek

an extension of the jurisdiction of the International Criminal Tribunal for Rwanda or the creation of an independent commission of inquiry to investigate these events?

Ambassador SWING. I think our position up to now has been that we support the Secretary-General's report in the two or three points that I just mentioned. We have not, I believe, taken a public position in support of the extension of that Rwanda Tribunal to include the problems that occurred in the period of the takeover by the ADFL in Kinshasha.

Senator FEINGOLD. OK. Finally, there are a variety of legislative restrictions in place now, prohibiting aid to the Congo. Is the administration still planning to seek a waiver of these restrictions? And if they are, please explain why. What, in general, is your view of the provision of aid to the Congo?

Ambassador SWING. That of course is a critical question for us in terms of being able to be engaged and trying to help the Congo as it moves in this postMobutu transition, from autocracy to a system of democracy and stable institutions. As you know, in the past fiscal year, we did provide \$8 million in assistance to the Congo, but all of it through either NGO's or international organizations, or through local and regional governments. We have vaccinated about 750,000 children in Kinshasha with part of that money. We supported the regional reconciliation conferences. We did a number of local projects.

The question you are asking is, what happens now, because we are into the new fiscal year. We have, I believe, already held some briefings on the Hill, with our belief that we should go forward with a 451 waiver, which would allow us to go forward with some of our assistance.

We have about \$30.5 million foreseen for this fiscal year. That will include about \$10 million for our three regional aid hubs, in Kanaga and the Kesais, in Lubambashi and the Katanga and in Bukavu, the capital in the Kevus. That would allow those local communities to get some assistance to their people and to keep their hopes alive that life is going to get better.

The \$10 million would go to the World Bank Trust Fund, along with moneys from other countries. We have \$10 million available for NGO's to do local and regional projects. We have, I believe, if the waiver goes through and we are approved, we would have a half-million dollars to support democracy and governance, primarily to help them in the period as they move toward elections in April 1999.

So I think that is the intent. But, as you correctly say, there are problems. We have the problem of Section 512, the Brooke amendment, in which the country is in arrears beyond 1 year to us; and we have the Faircloth amendment, Section 585, which we have to deal with. That of course addresses the U.N. team.

Senator FEINGOLD. I thank you, Mr. Ambassador. I thank all of you and wish you well.

Senator ASHCROFT. Thank you very much, Senator Feingold. Each of you has previously served our country in dealing with the situation in Haiti, and that is part of your record that I would like to spend some time exploring. I will personally submit for your answers questions about your prospective assignments, but I would



like for you to make an effort carefully to respond to the questions which I would now pose.

I would ask both Ambassador Swing and Mr. Felder, did President Aristide guard the institutions and modalities of Haiti's emerging constitutional system, and would you comment on the extent to which President Aristide respected and guarded the institutions and functions of Haiti's emerging constitutional system?

Ambassador SWING. Sir, thank you for the question. If I understand correctly, you are speaking of the time when he was president.

Senator ASHCROFT. Yes, I am.

Ambassador SWING. As you know, President Aristide, after 3 years in exile, largely here in Washington, returned to Haiti on October 30, 1994. He continued in office until his successor was installed in office on 7 February, 1996. In that period, with large assistance from the international community, he did follow through the constitution in completing five elections, including both local, regional and, of course, national parliamentary and Presidential elections, and I think that led to the first peaceful democratic transition at the Presidential level in Haitian history, certainly in Haiti's modern history, so in that sense I think the constitution was fully respected.

There were pressures at the time, as you may recall, in the summer and fall of 1995 of what was called a 3-more-years campaign, whereby President Aristide would have extended his time in office by 3 years to make up for the 3 years he lost after the coup d'etat of September 1991. Those pressures were resisted. The Presidential elections were held, and he duly handed over Presidential office to President Preval in February 1996.

Senator ASHCROFT. After his return to power, did he ever manipulate the opportunity for participation by opposition parties or participants in the electoral council, either in its formation or in the subsequent duties they would have in the electoral council?

Ambassador SWING. Sir, all of the elections that were held during my time there, and I was there from October 15, 1993 until January 5, 1998, in that whole period, certainly the opposition parties—these were all multiparty elections, and the opposition parties had opportunity to participate.

Because of their own perception of the electoral process a number of these traditional parties in Haiti chose not to take part in the elections. We in the administration, all of us at the embassy made a strong effort to try to keep these parties in the election, to keep them trying again to garner votes and to be part of the electoral process. We did not in the end succeed in convincing most of them to stay in the race and most of them were out of the last race, also.

Senator ASHCROFT. Do you regard those elections as free and fair?

Ambassador SWING. We have said through our Presidential delegations that came down for the elections that the elections were free and fair, but we have also said that in some cases they were flawed, and in several instances we have recommended that a number of the races be rerun and in some of the elections they were, and in the last one, the one that is contested now, no decision has been made.

Senator ASHCROFT. Was it your feeling that the president manipulated or did not manipulate the electoral council?

Ambassador SWING. I have no sense that the elections were manipulated, no, sir. That allowed us to make our statement about the elections being flawed but free and fair.

Senator ASHCROFT. And is that true about the electoral council as well as the elections themselves? Is your answer the same for that, that you have no sense that he manipulated the electoral council?

Ambassador SWING. There were a number of problems, and I think we are speaking now primarily of the April 6, 1997 elections, which would have been the last ones, which are still presently a matter of political debate within Haiti.

Along with the U.N. and other members of the international community we met a number of times with what was called the provisional electoral council. We felt that there were a number of flaws, some of which were probably the fault of the CEP, and that they therefore should take a range of corrective actions. We outlined them to them in writing. Some of these were implemented, but as I recall, most of them were not.

Senator ASHCROFT. Mr. Felder, is it your view the President guarded well the institutions and modalities of Haiti's emerging constitutional system in his service?

Mr. FELDER. I think in the period of his service as president that he did, sir.

Senator ASHCROFT. After his return to power, did President Aristide ever replace the supreme court in a manner that was contrary to the Haitian constitution?

Mr. FELDER. I am absolutely unaware of him doing that.

Senator ASHCROFT. Ambassador Swing, in early 1995 did the president, President Aristide, issue by decree a different electoral law than was passed by the Haitian parliament?

Ambassador SWING. I have to say that I do not recall in detail, but I have no recollection that I did, but I would be happy to take that question and get back to you in a written answer on it, because I want to be sure of what I am saying. I am not aware that he did.

Senator ASHCROFT. I would be very happy if you chose to provide that and, as a matter of fact, I can add that to the written questions.

Ambassador SWING. I would like to be correct on that. I cannot be sure.

Senator ASHCROFT. Ambassador Swing, did President Aristide ever take steps to silence unfavorable press such as closing private television stations?

Ambassador SWING. No. Again, to the best of my recollection he did not. In fact, one of the hallmarks of this new period in Haiti has been the rather astonishing degree of press freedom. There are about 95 private radio stations in Port au Prince, and I think that is on the low side of my estimate, and as far as I know most of them have been able to operate rather well and there are independent television stations.

Senator ASHCROFT. Ambassador Swing, in reference to the political killings in Haiti, you were quoted in a Robert Novak article in

the *Washington Post* in August 1995 as saying, "There has been no proof of a political murder. Even if you counted one or two of them as a political murder, the number is very small."

Ambassador Swing, is that quotation accurate?

Ambassador SWING. I believe it is, and I recall that article very well because, as I recall, Mr. Novak referred to something like 80. I believe he referred to 80-some political killings.

I was trying to say two things in that quote. If I might just elaborate on it, my main emphasis was on the fact that no one had been brought to justice to such a point that one could say it was, in fact, a political assassination. I was not denying there were assassinations, but there had not been anyone brought to court on that.

Second, in the summer of 1995 the United Nations and OAS International Civilian Mission gave us a report saying that there had been 21, what they called execution-style killings since the return of President Aristide, and I believe that to be accurate, and I was there for all of them and, in fact, the special investigative unit of the Haitian national police at this very moment is still investigating those 21 plus two that took place on August 20, 1996 of Pastor Leroy and his colleague, Fleurival, who were from the opposition party known as the MDN.

There was then finally—there was a—I think that would have made 25, and then there were added to that three other killings that took place prior to President Aristide's return, namely, Antoine Ismarie, a businessman who was pulled out of mass at the Sacre Couer Church and murdered in front of the church.

There was Justice Minister Guy Mallory who was shot at high noon on his way home to lunch the day before I arrived, and the third one was Father Jean Marie Vincent, who was assassinated on a Sunday evening about 5 weeks before President Aristide returned.

So, Senator, what I am saying is, that comprises at present the basically the active cases that are being investigated, so I do not think that when I—I was not trying to mislead the journalist at all when I referred to possibly two.

He knew of the Bertin case, which had strong political overtones, but I did not think any of them had been brought to book, and I could not say any of them were political.

Senator ASHCROFT. But you did say there had been no proof of political murder.

Ambassador SWING. Yes, sir.

Senator ASHCROFT. Do you think your statement sent a message to the Aristide Government, which by that time had effectively blocked the FBI investigation and shielded Government officials in the Bertin murder?

Ambassador SWING. Well, I do not think so, and I certainly hope not. We had maintained and continue to maintain a very, very active dialog on this issue. Our most senior officials have been to Haiti to talk to them about the importance for a democratic society to bring these people to justice, and for their own credibility. That has continued.

It is interesting and instructive to me that since the August 20, 1996 murders took place there have been no killings at all in Haiti,

which is almost 2 years now, which could, I believe, by anyone be ascribed as political assassinations. We are pleased with that.

I think that is partly related to the existence now of an investigative unit within the Haitian national police, the special investigative unit. I think it is due to the very good work and the watchful eye the FBI did while they were there, and I think it is due also to the recognition in Haiti that countries, the United States first and foremost, really take seriously this business of allowing freedom of political expression and certainly condemning anything that approaches a political assassination. I hope that will continue.

Senator ASHCROFT. Ambassador Swing, did you feel the evidence implicating cabinet minister Beaubrun in the Bertin murder was strong enough where you would recommend his dismissal.

Ambassador SWING. Indeed. Indeed, Senator. Thank you very much. I indeed felt that. I recommended his immediate suspension on the grounds that for their own credibility of the Government he should be taken off of active duty until his name could be cleared, because his name had come up in connection with a plot that was uncovered in March 1995 to assassinate a key and high profile opponent of President Aristide. I regret to say we were unsuccessful in the end in convincing the president and the Government that he should be dismissed.

Senator ASHCROFT. I guess my question is, if the evidence was strong enough for you to recommend his suspension from the cabinet, do you see any inconsistency with saying there's that kind of evidence and saying, too, apparently to Robert Novak that there was no proof for the existence of a political killing?

Ambassador SWING. Sir, I did not feel that I should put myself in the position of making political judgments about killings that I thought only a court of law could make, and I was simply trying to be cautious in not sort of outlining what would be seen as a trend when I did not think I saw one.

Senator ASHCROFT. Well, I guess the tension that I see is that you say there is no proof, but you thought there was enough evidence to go to Aristide and say, suspend this person.

Ambassador SWING. What I basically said to him was, I said, Mr. President, it seems to me you want to get yourself and your Government out of harm's way until a court of law and investigative unit can decide where the facts lie.

We had this rumor of a plot, and we felt that it should be investigated just to see if, in fact, the then minister of the interior, Mr. Beaubrun, was, in fact, funding and basically supporting that plot.

Senator ASHCROFT. Do you think Aristide's failure to move against Beaubrun signaled to the other plotters that they were free to proceed with the Bertin hit, which was carried out only a few days after the initial plot was discovered?

Ambassador SWING. Sir, with due respect, I do not know. I just do not know.

Senator ASHCROFT. Mr. Felder, do you have a view on that?

Mr. FELDER. I was not in Haiti at the time, sir. I could not comment on that. I did not arrive until many months thereafter.

Senator ASHCROFT. Ambassador Swing, in commenting on quotations in the Novak article in August 1995, you stated before the House International Relations Committee in September 1996,

"What I was saying, Congressman, was that based on knowledge we had to date we were not in a position to say, were they politically motivated, or if they were drug-related, or anything else, because at that point the FBI investigation was not complete."

Do you stand by that statement that, based on the information you had, you could not say with reasonable assurance that some execution-style killings were politically motivated?

Ambassador SWING. I believe I do, sir. Again, no one had at that point been brought to trial, and it was very difficult for me to make that statement.

Senator ASHCROFT. Mr. Felder, do you have any evidence available to you, or did you, or do you, that in August 1995, that some execution-style killings were politically motivated?

Mr. FELDER. Senator, the did you and do you distinction is important. I cannot tell you that in August I had that information to the point that I would consider it reliable fact. I knew that the FBI believed that the Bertin killing was a political killing.

Senator ASHCROFT. So you had been informed by the FBI that they believed it was a political killing?

Mr. FELDER. We knew that the FBI was pursuing certain lines of investigation at that time, that they had suspicions that the killings were perpetrated by people operating generally around or from within the palace, but we did not—the FBI had not concluded its investigation at that time, and did not have a final position.

In fact, they had rather a shotgun approach, if I may, in that they had a rather large number of people they thought might have been involved, and all of them could not possibly have been involved, so the information that they had was not conclusive at that point. In fact, they were frustrated because they could not bring that investigation—they could not finish the investigation and derive some conclusions from that.

Now, with respect to do I, as opposed to did I, I think that based on information that has come to our attention in the period over these past several years, it is fair to say that there have been a number of execution-style killings, some of them with political motivation.

Senator ASHCROFT. In what is now a declassified memorandum, Ambassador James Dobbins advised Deputy Secretary of State Strobe Talbott in August 1995 to describe execution-style killings in Haiti as "revenge-motivated." One of Dobbins' talking points for Talbott stated, "None of these killings were linked"—I guess that is what it actually said, rather than was linked, but none of these killings were linked to the elections or current Haitian politics.

Ambassador Swing, do you agree with Ambassador Dobbins' statement that none of these killings were linked to the elections or to current Haitian politics?

Ambassador SWING. Senator, may I just ask you, what was the date of the memorandum?

Senator ASHCROFT. This was an August 1995 memorandum advising Deputy Secretary of State Strobe Talbott from Ambassador James Dobbins.

Ambassador SWING. Basically, this was the period of the FBI investigation, which began the morning after Madam Bertin was assassinated. In other words, it ran from—the FBI investigation

began March 29 and was still going on in August, although by August we had already identified lots of problems that indicated the Government was not giving us its full cooperation, and we were at a point where we were beginning to think about the utility of maintaining a large and expensive FBI operation there.

So basically at that point, again it is a question of what we know now as to what we knew then. At that point, we did not yet have a conclusive investigation to guide us in terms of whether these were revenge killings, or whether they were politically motivated or drug-related, or just what.

Senator ASHCROFT. Well then, you do not agree with the advice to describe them as revenge-motivated. You say in the event you do not have enough information to know.

Ambassador SWING. Well, some of them, the United Nations, the ICM again, the civilian monitors put out a report saying, in effect, that some of them were revenge-related and some of them they thought were politically motivated.

Senator ASHCROFT. So you agree, then? I mean, I am trying to figure out whether you do or do not agree with the advice that the Secretary of State should describe those as revenge-motivated.

Ambassador SWING. Well, I think one has to assume that in a period in which more than 3,000 persons lost their lives during the period of Aristide's absence in human rights killings, that there would be—in fact, we expected we would have real problems on the return of President Aristide that there might be revenge-motivated killings, and I think therefore, until you come to a court of law, in a lot of these cases one has to assume there was some revenge involved.

In the case, for example, of Colonel Kebreau, who was—Colonel Kebreau was killed on February 16, 1995 in the Zodiac Bar in a part of town called Carrefour. He had, in fact, stolen the car of a very close security associate of President Aristide, and one assumes there probably was a revenge motive.

Senator ASHCROFT. My question is not whether or not it is appropriate to say all of these are revenge-motivated. I think it has been pretty clear that—but do you agree with the idea that it was appropriate to say none of them would be politically motivated and that they were all basically—you know, none of these were linked to the elections or current Haitian politics. I am sure you could list lots of homicides that are not related to it.

Ambassador SWING. I think there was always a strong suspicion that the Bertin case, since it was such a high profile political case, could very likely be seen as politically motivated, but again, at the point at which this memorandum was written we still did not have a conclusive investigation either by the FBI or any other investigative body there.

Senator ASHCROFT. So then you agree that in the absence of a conclusive report or criminal court conviction it is appropriate to say none of them were linked to elections or current Haitian politics.

Ambassador SWING. Well, basically at the embassy we tried as much as we could to suspend judgment, to look at the various possibilities, political assassination, revenge killings, drugs or other-

wise, without making ourselves in the position of being a court of law.

Senator ASHCROFT. I guess what I am trying to say to you, you in particular are being designated to serve as the Ambassador of the United States of America to the Democratic Republic of Congo, and if I make an error in some of these terms, forgive me, but the leader of the Democratic Republic of Congo, Kabila, has not been what I consider to be a model in terms of welcoming democratic institutions, or providing for the safety of citizens.

On two occasions at least, we have tried, with the cooperation of the United Nations, to send inspection teams to respond to whether or not there has been genocide, not just political killings but genocide, and in each of those cases we have met with serious resistance.

Now, frankly, if you have a proclivity for looking the other way, or waiting until there has been some convictions by a court somewhere, that is not very hopeful as a representative of the United States of America.

And if you want to persist in saying that, well, until there is conclusive evidence, until you have got either a signed confession or you have got court cases—I would hope that the United States would be prepared to register its concern about what are apparent political murders and assassinations in advance of some kind of written in stone historically validated understanding, because it is true, the number of political murders may be declining.

The number of political murders can decline under a number of scenarios. One of them is, there is nobody left to murder who has any guts to talk. I mean, people can get the message. It is not necessarily that there are democratic institutions.

There was a time—well, lots of dictatorships have been successful at making their point with a few well-placed murders, and they do not have to do more, and so I guess—you know, this is a matter that is troublesome to me.

I think you are going to—in the event that you are confirmed, you are going to go to a very, very troublesome place, where literally hundreds of thousands of people have lost their lives, and maybe I have read the wrong books about particularly the north-eastern corner and the Great Lakes region, if that is the proper terminology.

But that is a human tragedy to me, and I am being rather direct because I want to know at what point you run the red flag up, or whether you are willing to say, nah, these all look like they are revenge motivated, or they are not political assassinations, or there is no conclusive evidence. As long as we have a shadow of a doubt, we are not going to do anything, and there is this sort of legalistic sort of perch which you appear to be occupying which says that in spite of the fact the FBI expresses grave concerns, that well—

Ambassador SWING. Senator—

Senator ASHCROFT. [continuing] I am just trying to explain what I am after here. This is not a happy situation, and maybe he is much to be preferred over his predecessor, but he has certainly not been willing to allow the United States as a participant in the inspection teams and the like, and it gives me great pause, and I would like very serious assurances that we are not in the business

of cooperating, or looking the other way, or winking until the evidence is totally complete and the trials are completed, especially in times when there are lots of people losing their lives, and have lost their lives in families that are very seriously threatened.

From what I can tell, the Great Lakes region we are talking about and the alleged atrocities there make Haiti look like a Sunday School picnic, and we do not need to have an attitude that relates to that arena that says, well, until we see it on videotape in public, where we will not be able to deny it, we can keep telling people to attribute this to other causes.

Ambassador SWING. Sir, I want simply to reassure you that whatever I am saying in a public forum now is somewhat—does not reflect the entire record. I am very proud of the dialog and the demarches and the relationship we had on the question of these murders. I think we have pursued it relentlessly with the president. Never a week passed when I did not meet with the past president and the current president of Haiti. This was at the top of our agenda and remained at the top of our agenda as long as I was there.

We did everything we could possibly do, given the limited capacity of that police force, to get to the bottom of these murders and I assure you that remains a top priority for us. We know more now than we knew then. We discovered along the way, with the help of a lot of good people, that there were in fact hit squads operating out of the national palace, which is the seat of the president.

We worked hard to have people dismissed who we knew or strongly suspected to be involved in these murders, including some of the more recent ones. This continues to be very critical for us and we have, I think, kept in close touch with the Congress on this, and we have worked with you, and we have agreed with the kind of legislation that you have put in order to ensure that these investigations go forward.

So there is no softness there, but some of the record that is reflected in the record is difficult, I think, to discuss in an open hearing.

Senator ASHCROFT. Let me just say this. A willingness to describe as nonpolitical things as sort of revenge- motivated, and to describe them as nonpolitical merely because there is an absence of conclusive evidence, could lead people on the site to say they are buying it, the light is green, we can continue with our practices and our opportunities because, listen to what the Deputy Secretary of State is saying. They are buying this line.

And to be willing in the face of FBI strong suspicion, strong enough suspicion to recommend people be canned in the cabinet—or suspended, pardon me. Let me correct that—that people be suspended in the cabinet on the one hand and then to go out with a pretty good cover story for what is happening on the other, indicating that they are revenge- motivated, that is what troubles me.

Let me move to another item.

Ambassador SWING. Could I just footnote my statement?

Senator ASHCROFT. I have as much time as you do. My evening is open so we could all be here.

Ambassador SWING. While we were not successful in getting the president to dismiss his minister of the interior, we have been suc-



cessful in getting the thugs involved in the palace security operation basically removed out of the Government.

Senator ASHCROFT. Well, I think it is commendable. The more thugs we get out of Government, the better off we are.

Ambassador Swing, did you continue to feel that resolving the Bertin murder was important, and did you continue to pursue the investigation aggressively with embassy resources?

Ambassador SWING. Yes, sir. We did it largely through—once the FBI had left, which was, I think, sometime in October 1995, the Government of Haiti had notified us on October 11, 1995 that they were going to create a special investigative unit within the Haitian national police.

Now, these, of course, were all brand-new recruits. None of them had more than 2 years experience on the street. We continued to support them, and I think Congress was very helpful in approving legislation and approving funding that would allow them to be supported in terms of their training.

We have had with them at times one, at times two American investigators on special contract who have assisted them in this, and so I think we have continued up to this day. I left in January, but I believe that unit is continuing to develop and follow leads, and I believe there is some chance of success there. We will continue to support them.

Senator ASHCROFT. It just occurs to me there is a unique level of responsibility in the United States and in our embassy and in our representatives when we are dealing with a Government that we install that then has the cloud of political assassinations over them, and that is one of the reasons—after the FBI left in October 1995, did you ever read the FBI summary report on the Bertin murder?

Ambassador SWING. I have not seen that report. I understand it exists, but I was never shown a copy and I have not seen it. I have not read it.

Senator ASHCROFT. Mr. Felder, did you review the report?

Mr. FELDER. Senator, I have been searching my mind these past few days because the subject came up in the State Department, and I do not believe that I have read that report.

Senator ASHCROFT. Do you know whether you did or not? I mean, if you do not know, just say it.

Mr. FELDER. I do not recall having read it.

Senator ASHCROFT. So you do not know whether you read it or not.

The report from a congressional staff delegation to Haiti states that, "Until facilitating a meeting requested by the staff delegation, the American Embassy had no contact with the family of slain lawyer Bertin more than 1 year after the murder."

Is this statement accurate and, if so, what does the failure to even meet with the Bertin family say about the intensity of the embassy's effort to resolve the Bertin case?

Ambassador SWING. Sir, I did not have contact with them and, in that sense, the report is correct. I did not have contact with them largely because I had never had contact with them in the period of the de facto regime.

I did not believe such contact would be welcome, and I felt that the contact, since it was an active investigation, should come from the appropriate authorities, which I thought at that time to be the FBI and later the special investigative unit. Had they asked to see me, of course I would have seen them.

Senator ASHCROFT. Is it that after the FBI left in October 1995 that there was a special investigative unit that replaced them?

Ambassador SWING. That is correct, sir, along about the same time. They may have been in place before the FBI left because both events, as I recall, occurred in the month of October.

As I mentioned, the minister of justice notified me by letter on October 11, 1995 that they were going to form a special investigative unit. This is something we had been recommending to them ever since the first murders occurred in early 1995 and they came around to it in October.

Senator ASHCROFT. In meeting with Aristide, Ambassador Swing, did you express concern to him that the Government of Haiti would look culpable in interfering with the FBI investigation of the Bertin murder?

Ambassador SWING. I did, sir. I cannot tell you on what occasions, but it came up.

Senator ASHCROFT. Did he appear willing to accept your suggestion that he would appear culpable?

Ambassador SWING. I do not believe so, sir.

Senator ASHCROFT. Did you ever report to the State Department that the Government of Haiti had basically obstructed the FBI investigation?

Let me rephrase this. Did you ever report to the State Department that the Government of Haiti obstructions to the FBI investigation were for political cover?

Ambassador SWING. I may have. I do not remember. I certainly told them we were not getting the cooperation that was required to carry out the investigation, and I remember in August 1995 I sent a cable to Washington—and you will have to excuse me if it is in very general terms.

I think we basically said that we had reached a point where if we could not get greater Government cooperation we would have to look at the possibility that the FBI would not be able to complete its investigation and therefore have to leave, and I think at that point we suggested, I think something like—and again, please do not hold me to this, because I do not remember the cable that well—something like that we needed either to have a high level delegation, or some high level phone calls to try to convince the Government that it was in their interest and the interest of justice and the interest their new nascent democracy to let this investigation go forward.

One of the problems was their wanting to have a Government lawyer present at these interviews and, of course, the FBI could not possibly agree to that, and we never really quite got around that point, as I recall.

Senator ASHCROFT. Are you implicitly saying that part of the FBI's investigation might have revealed Government involvement and you could not have the Government there?

Ambassador SWING. I do not know what their motivation was. I simply know, as I think we have got it on the record, that we did not get the kind of cooperation that would have allowed the FBI to conduct a credible investigation.

Senator ASHCROFT. Did the State Department feel the possible withdrawal of the FBI team from Haiti could be a political disaster for the Clinton administration?

Ambassador SWING. I think one felt that there would obviously be political fall-out, but the primary reason for—basically for pulling them out, as I recall, was simply that the investigation was not proceeding. It was not going anywhere.

Senator ASHCROFT. Was it because it was being obstructed?

Ambassador SWING. Because it was largely being—there was no cooperation on the part of the Government to let it go forward.

Senator ASHCROFT. We continued to support a Government which we had installed which, when investigated regarding political murders which allegedly were perpetrated by the Government, it obstructed the investigation.

Ambassador SWING. I called it lack of cooperation. You can call it obstructed. The main point is, the FBI was not able to complete what it was sent to do, Senator.

Senator ASHCROFT. Because of what the Government did?

Ambassador SWING. Right, or what it failed to do, which was to let us conduct the interviews without the presence of the Government.

Senator ASHCROFT. Mr. Felder, do you have a response to that question, and I will restate the question. Did the State Department feel that the possible withdrawal of the FBI team from Haiti could be a political disaster for the Clinton administration?

Mr. FELDER. I agree with Ambassador Swing's answer that they perceived that there would be, certainly, some adverse reactions if the FBI investigation were terminated without coming to conclusions.

Senator ASHCROFT. But it was terminated.

Mr. FELDER. It was terminated.

Ambassador SWING. Part of the disagreement had to do with Haitians, what they called their interpretation of their laws, and what we wanted to do, and that it did not fit with it, and we had some fairly senior officials from our own Department of Justice come down.

Several times in June and July, as I best recall, we had a kind of coming together, and a kind of an agreement that the Government could pay for a lawyer as long as it was a lawyer of the person's choosing who was being interviewed, and in the long run that never worked, either.

Senator ASHCROFT. Was there concern that the responses—pardon me, that the reason for the FBI's withdrawal would become public?

Ambassador SWING. I just do not know. A lot of times it had to do with a feeling that this could be an infringement of Haitian sovereignty. I do not know, ultimately.

Senator ASHCROFT. Those are tough questions when you are installing leaders, aren't they, sovereignty?

Ambassador SWING. Well, Senator, I do not mean in any sense to be disrespectful, but I think when we say that we installed a Government, we helped return a Government that was legally and fairly elected, and so in that sense I think we agree on that, but not installed in the sense of a Government that had no legitimacy. It had the legitimacy, but unfortunately it was abroad, in Washington.

Senator ASHCROFT. Ambassador Swing, after the FBI investigation was blocked and you said they were either for lack of cooperation or it was obstructed, but you say basically the same thing, the same set of facts would support either conclusion, and the agents were withdrawn from the island, did President Aristide make a commitment to provide you with any results of Haiti's investigation?

Ambassador SWING. I am not aware that he did. At one time one of his Government lawyers said to us he was going to conduct his own investigation, and that he would share with us the results. I do not think anything ever came of that, but again, please do not hold me to it. I am groping back 3 years ago.

Senator ASHCROFT. It is OK for you to say I do not know here.

Ambassador SWING. I really do not know on that.

Senator ASHCROFT. Did you ever receive such a report from the Government of Haiti?

Ambassador SWING. A report on their investigation?

Senator ASHCROFT. yes.

Ambassador SWING. Not that I am aware, sir.

Senator ASHCROFT. Ambassador Swing and Mr. Felder, either of you can answer first, do you think the fact that no one has been indicted, much less convicted, in the Bertin murder or any other political murder in Haiti gives any indication that the Aristide Government explicitly or implicitly approved the murders?

Ambassador SWING. Sir, I do not know what to conclude from that. I do know they have a tremendous lack of capacity to investigate anything. If I might just go a little bit in time, when our troops came in on September 19, 1994, we helped the Government of Haiti to demobilize and disarm a 6,500 member army. They have no army today.

We began with strong support from this Congress a \$64 million 5-year program to train a new Haitian police force, much of which, you may recall, was trained at Fort Leonard Wood in Missouri. We reached the 5,200 mark in February 1996, when they made this peaceful transfer of Presidential power from Aristide to Preval.

Now, at that point, even the first recruit class, which was graduated in June 1995, did not yet have 1-year's experience, and so we are talking about a police force now that is less than 5 years old and, in addition, you have to give them specialized training, coast guard, narcotics control, customs, et cetera, and the investigative unit has only been in training since October 1995, and so we are talking about very limited capacities.

I am not in any ways being apologetic for their lack of progress on this, but one does have to recognize——

Senator ASHCROFT. You are saying you do not know the reason?

Ambassador SWING. I do not know.

Senator ASHCROFT. And what you are doing is giving hypotheticals of what might be reasons. It might be inadequate training, or not an experienced enough force yet, and those are potential explanations.

Ambassador SWING. I am not saying it is the whole explanation, sir.

Senator ASHCROFT. Mr. Felder, do you think that the fact that no one has been indicted or convicted of the Bertin murder or any other political murder in Haiti gives any indication of whether the Aristide Government explicitly or implicitly approved of these acts?

Mr. FELDER. Senator, I share Ambassador Swing's comment with regard to the lack of training and preparation of the people that have been called upon to conduct an investigation.

Senator ASHCROFT. I know about the training situation. This is just a question. Do you think—

Mr. FELDER. I am going to answer, but my belief is that there is no appetite in the Aristide Government or in the Preval Government to truly get to the bottom of these cases, because it seems to me, and I think we know that a number of them were perpetrated by people associated with the palace.

Ambassador SWING. And those are the people we mentioned earlier that we had been successful at least in getting removed from the security force, which led to our sending a large contingent of security guards to Haiti in September 1996.

Senator ASHCROFT. Mr. Sullivan, do you agree with Mr. Felder in that respect?

Mr. SULLIVAN. I would make my judgment on the period where I was special coordinator for Haiti, which was from August 1996 through July 1997.

Senator ASHCROFT. I know you have been sitting there hoping I would ask you that.

Mr. SULLIVAN. But based upon that period, certainly I did not see the sort of enthusiasm in pursuing the investigation that would lead one to believe that the Preval Government was anxious to get to the bottom of these cases.

Senator ASHCROFT. Mr. Felder, did Minister of the Interior Beaubrun have a U.S. visa at the time of the Bertin murder?

Mr. FELDER. Senator, I would like to reiterate, I was not there when Minister Beaubrun—

Senator ASHCROFT. Do you know whether or not we suspended his visa if he had one?

Mr. FELDER. I do not know the answer to that question. That is before my time.

Senator ASHCROFT. Ambassador Swing, in reference to the FBI investigation, you stated before the House International Relations Committee in September 1996, "I recall, it was about August 1995 that we were beginning to realize that the FBI investigation was not proceeding as we had hoped it would."

Do you stand by that statement, that you first began to realize in August 1995 the Government of Haiti, or that the FBI investigation was not proceeding as you hoped it would?

Ambassador SWING. I do, sir, although we had identified problems at meetings we held in both June and July. It was in August,

I think, when we began to send cables saying we're going to have to reassess whether this mission can go forward.

Senator ASHCROFT. And that's because of the "lack of cooperation, or obstruction by another definition?"

Ambassador SWING. That is correct.

Senator ASHCROFT. Ambassador Swing and Mr. Felder, when did the embassy first report to Washington after the Bertin murder, indicating the Government of Haiti was not cooperating properly, had little intention of cooperating with the FBI?

Ambassador SWING. I don't recall. I honestly don't. I would have to go back in the record.

Senator ASHCROFT. Do you recall, Mr. Felder?

Mr. FELDER. Senator, I believe that those initial reports were filed, again, before my arrival in July. I know in August Ambassador Swing made reference earlier to the fact that we sent a cable in August, which was just weeks after my arrival, to that effect.

Senator ASHCROFT. Ambassador Swing, when did the FBI first signal it was ready to pull out of Haiti due to lack of Haitian cooperation?

Ambassador SWING. I really do not recall that, sir. I just do not know when it was. Probably—I would guess probably in that summer period, because we had a number of senior visitors from the FBI who came down to bring that message to President Aristide that without more cooperation we really could not go forward, so I suspect it was then. I would have to go back in the record, to be honest with you.

Senator ASHCROFT. Ambassador Swing, you made the following statement before the House International Relations Committee in September 1996: "The cycle of violence which erupted in mid-August, including the broad daylight murder of two opposition politicians, is not unique to Haiti among societies in transition.

"What is unique in this situation is that the Haitian Government and our Government actually did something about it. We quickly recognized the threat the situation posed to the transition process and we moved together quickly to fix it."

From your testimony, Ambassador Swing, it sounds as if the Government of Haiti was cooperative investigating the murders of Leroy and Fleurival. Is that correct?

Ambassador SWING. At that point we got very good cooperation. This issue, you may recall, had to do with the murders of the two MDN opposition politicians, Pastor Leroy and Mr. Fleurival, in broad daylight. We discovered—that was on 20 August and I think already on 21 August we had sufficient evidence to know that members of the Presidential security unit were in the vicinity, if not on the scene of that murder.

I went in to see President Aristide the following day, on August 22—President Preval, sorry. This was in 1996—and tell him that we had these suspicions and that there were real problems and that, in fact, having people in the president's security unit like that, apart from bringing them to justice, could pose a threat to his own security.

We had long conversations with Washington on it, and we finally sent a high level delegation to Haiti, I believe it was—I think it must have been around August 30, and by mid-September we had

put in place some additional U.S. security agents from several agencies of our own Government and had begun working on a scenario with the Government to have these persons removed from the palace security unit. That again is separate from some of the earlier cases we discussed, such as Madam Bertin.

Senator ASHCROFT. What evidence did you have the individuals were at the scene of the murders?

Ambassador SWING. I think there was some monitoring of radio messages that we learned about. I believe ultimately we got some shell casings that showed that weapon belonging to a member of what was called the PSU was involved. I have forgotten exactly.

Senator ASHCROFT. That would be more than being present. It would indicate a potential presence—it would indicate that some of the resources provided to the security unit had been used in the murder.

Ambassador SWING. We were concerned about that, yes.

Senator ASHCROFT. It is a matter for concern.

Ambassador SWING. We ended up sending about 30 additional U.S. security people in there to try to weed out these elements and begin training the people who were there, and some new people.

Senator ASHCROFT. Mr. Sullivan, do you think the Government of Haiti was cooperative in the Leroy or the Fleurival cases?

Mr. SULLIVAN. I think they were cooperative in the sense of, as we brought the matter to their attention, and as we urged them to remove people, that we had information they were responsible, that they did act on those recommendations, and with respect to the investigation it was not as fulsome, the cooperation, but the removal of people who literally were identified proceeded.

As I recall, the two heads of the unit were removed within the first week or two.

Senator ASHCROFT. I guess I would continue the question by saying, did President Preval indicate a real interest in apprehending and punishing the perpetrators of the crime?

Mr. SULLIVAN. Some of this happened in a period after I had left the position, but certainly at a certain point there was an individual named Eddie Arbrouet who was identified as being present at the scene and probably having fired a weapon, and he on one occasion engaged in a shoot-out with the Haitian police and on another occasion was engaged in threatening the head of the Haitian police as he pursued him, and as his police unit pursued him, and then subsequently, I understand within the past year, and after I have left the responsibility, was killed in a shoot-out with the police.

Senator ASHCROFT. Mr. Sullivan, did senior officials in the Government of Haiti attempt to obstruct the investigation in any way that you know?

Mr. SULLIVAN. I think there were instances in which the cooperation at all levels was certainly not—was not there, and typically if we felt it was not there we would raise it to their attention.

Senator ASHCROFT. So you would say they did not really show a real interest in getting to the bottom of it?

Mr. SULLIVAN. I think the interest was in dealing with the immediate situation of, and the willingness to respond to the situation that yes, people in the palace security had been involved and those people should be removed, but whether the investigation should go

forward and what should be done to prosecute people, certainly the enthusiasm was not as great.

Senator ASHCROFT. So there was a lack of enthusiasm. Do you know of any obstruction?

Mr. SULLIVAN. I think there were instances in which particularly I can recall lower level officials had engaged in obstruction and, typically, those, whenever we learned of such, we brought it to higher level attention and on most occasions we got at least some response.

Senator ASHCROFT. Mr. Sullivan, how many investigators did the Government of Haiti assign to investigate these murders?

Mr. SULLIVAN. I am sorry, I do not know the answer to that.

Senator ASHCROFT. Do you know whether any of them quit out of fear for their life?

Mr. SULLIVAN. I do not know the answer to that question.

Senator ASHCROFT. Mr. Sullivan, what were the results of the Haitian Government's investigation? Was anyone ever indicted, prosecuted, or sentenced for the murders of Leroy and Fleurival?

Mr. SULLIVAN. Certainly not at the period where I left the position nobody had indicated. I think Arbrouet, I believe, was indicted prior to my departure, and a warrant was put out for his arrest and then, subsequent to my departure, he was killed in a shoot-out with the police.

Senator ASHCROFT. Would you characterize, then, the Preval administration's conduct pursuant to these deaths as cooperating with the investigations?

Mr. SULLIVAN. I would characterize the cooperation as a cooperation in dealing with the immediate involvement of palace security units and removing them from their positions.

Senator ASHCROFT. That is not really what I have in mind. I can understand why they might be willing to say, OK, you lose your job, but that is not cooperating with the investigation of a murder, and I can understand how you would want to say how they cooperated to think, well, maybe these guys are not the ones that we ought to keep around because there could be liabilities here, but beyond that, you did not see cooperation in the investigation?

Mr. SULLIVAN. I saw some cooperation. It was not everything we would have wished, but typically, as we would raise issues there would be some followup and, for instance, that resulted in the indictment of Arbrouet certainly at the time that I was there in the active pursuit of Arbrouet as a likely individual involved in the scene.

Senator ASHCROFT. So we have very limited resources being applied to an investigation which yields no convictions and reports of senior security officials being implicated in the murder.

Ambassador Swing, do you characterize the conduct of the Preval administration as cooperative in that setting?

Ambassador SWING. I agree with my colleague, Mr. Sullivan, his characterization that more cooperation in the support of the Leroy-Fleurival murders would have been wished, although there was some progress there in the ultimate. They were trying to arrest Arbrouet and actually ended up killing him, but he was considered to be one of the people who might well have done the murder, and



we are still waiting, I believe, on the FBI lab tests on the shell casings.

Senator ASHCROFT. How long ago was the FBI given the shell casings to conduct the lab tests?

Ambassador SWING. A long time ago. It must have been—I do not know. I do not know the exact period, but it has been a considerable while.

Senator ASHCROFT. Several years?

Ambassador SWING. It could not have been several years. The murders were less than several years ago. But it certainly would have been, I would guess, in late 1996, early 1997.

I do not know if you remember, Bob. I think that is about right.

Senator ASHCROFT. Ambassador Swing, where did the murder of Michel Gonzalez occur?

Ambassador SWING. Michel Gonzalez was murdered on his way home on basically the airport road, which is now called the Tabar Road, which runs passed President Aristide's house. He was killed in his car in front of his daughter as he was waiting on the gate to be opened to the pathway that led to his house.

He was murdered, as far as we know, by people on motor cycles who pulled guns and killed him on the spot.

Senator ASHCROFT. Were members of Aristide's security detail implicated in the murder?

Ambassador SWING. I believe there is some evidence that would link, again might be linked back to palace security units. There is a question, and I do not know how much of this can be gone into in an open forum. I believe there is the issue that the FBI was working on as to which of these murders might be either directly or indirectly linked ballistically to the Bertin murder, and I believe at least one official of the security unit at the palace was dismissed and perhaps could have been three. One, two, three—I forgot how many were actually dismissed.

Senator ASHCROFT. Are we coming to the conclusion that the penalty for murder in Haiti is that you lose a cushy Government job?

Ambassador SWING. Well, that was certainly the immediate consequence, but then one was awaiting the outcome of the investigation to take it to the next step, which would have been to bring them to court and send them to jail.

Senator ASHCROFT. Ambassador Swing, did the murder have anything to do with Mr. Gonzalez' refusal to vacate property that Aristide wanted?

Ambassador SWING. That is a hypothesis that was put forward fairly soon after the murder. All I can tell you is I do not know the answer to that. I can only tell you that Mr. Gonzalez—and this I think the FBI has found out—was not the owner of the property but the tenant, and so I do not know what that does to that theory. It is true he was a close neighbor of former President Aristide.

Senator ASHCROFT. Did the embassy ever inquire if the Gonzalez land he had been occupying had been added to the Aristide adjacent compound?

Ambassador SWING. As far as I know it has not been, but I do not know the answer to that question.

Senator ASHCROFT. Do you think, Ambassador Swing, that a murder against a prominent Haitian citizen carried out in front of President Aristide's home like that might have happened without Aristide's consent?

Ambassador SWING. Sir, I do not know. I have no way of knowing.

Senator ASHCROFT. Is there anything any of you would like to tell me about these situations? I have asked a lot of questions. These are pretty pointed, tough questions. Is there some way in which you feel I have unfairly, with my questions, mischaracterized the activities or situation?

Ambassador SWING. I just feel badly that I am not able to help you more on some of these simply because I do not know more. I try to go back in preparation for this hearing in my memory to recall all of these, and I know more or less now the chronological sequence.

They began basically in February 1995. There was a series of five. There were a couple of other murders in March and then the one that has gotten most of the attention, the well-known lawyer, Marie de Roche Bertin on March 28, and then there was 2-month lapse and there were a series of three or four or five other murders in May, including Michel Gonzalez. There was a spate of murders in June 1995, and then it moves all the way forward to October and November.

There was one each in October and November, and basically then there was nothing more until the Leroy-Fleurival killing in August 1996, so that basically is the 21 cases that have to be looked at and have to be investigated and gotten to the bottom of.

Some of them were former Haitian military officers, at least two or three of them. Some of them were former members of what was called the FRAP organization, which was an extremist reactionary group that was kind of like a wing of the Haitian army under Cedras. Some of them were simple business people. One man was an auto parts owner.

We have tried to look at it from all angles to see what kinds of trends or tendencies there might be there, and it remains a very key element of our policy to try to get to the bottom of these and to try to convince the Government that these murders need to be solved and they need to be solved quickly.

Mr. FELDER. Senator, may I add something?

Senator ASHCROFT. Yes. My invitation was to each and all of you.

Mr. FELDER. I would like to say that it is my impression and my view that the cooperation of the Government in the investigations has not been adequate.

I believe that it is critically important in Haiti for the message to be understood throughout the country that the era of impunity is over, and I do not believe that the Government has fully grasped the importance of transmitting that message to the population by fully investigating these cases. There have been some gestures toward investigation, but they have not been adequate.

I would like to say, however, that I do not believe that the wrong message has been transmitted to the Haitian people and to the authorities because of the fact that we have not been successful and

they have not been successful in bringing people to justice for these crimes.

Since August 1996 there have been no murders of which I am aware that we could reasonably describe as political murders, and in a society like Haiti——

Senator ASHCROFT. Were they all revenge murders?

Mr. FELDER. No, I did not say that.

Senator ASHCROFT. Because earlier we had official State Department characterization of murders as being revenge- motivated, and I was chiding you a little bit.

Mr. FELDER. Senator, I understand your concern. I share it. I would like to say that my own view is that the great bulk of these murders were revenge-motivated. I do believe that, but I believe there distinctly were some political murders mixed in with them, but I think that there have been or there has been a very low level of serious political violence in Haiti over the past 2 years, and I think that that is one of the positive elements in the Haitian equation right now.

Senator ASHCROFT. Mr. Sullivan.

Mr. SULLIVAN. Mr. Chairman, I guess I would like to identify myself with my colleague's statements that it is indeed——

Senator ASHCROFT. Which of them?

Mr. SULLIVAN. Well, both, but particularly the most recent comment by Mr. Felder.

Senator ASHCROFT. You could run for the Senate.

Mr. SULLIVAN. Indeed, as Ambassador Swing used to say, everything is broken in Haiti, and the justice system is one of the many things that is broken, but I think one of the things that has been the most broken is the culture of political violence and the culture of impunity, and I think the efforts that we made, both the administration and the Congress, because in much of this we worked very closely together to send the message that this could not be a situation that could be tolerated by our Government.

It could not be—a level of political violence or political violence in general would not be tolerated, and that impunity could not be tolerated. It may or may not—I hope it does still produce results in those specific cases, but I do think it has helped transmit the message that no, it is not acceptable, because we, the United States, both the administration and the Congress, will be all over you in every case where it happens, and it is just not something that we can provide support to. It is not——

Senator ASHCROFT. Are you recommending we withdraw support?

Mr. SULLIVAN. Well, we have at various times worked with the Congress in suspending certain amounts of support to get certain amounts of cooperation.

Senator ASHCROFT. I will not argue about what kinds of cooperation, but I think we have had a great deal of testimony that we were absent cooperation from the Haitians related to the most fundamental of all rights, the right to remain alive and to be involved in politics. I mean, that is very important to me, because I have made my life that way.

At one point our continuing support seems to undermine the message which you say we were projecting so effectively, and I

again will give you the last word, obviously, because I keep interrupting.

Mr. SULLIVAN. I think I have made my point that yes, indeed, we did work with the Congress to specifically transmit the message and link our assistance to progress in removing people who had involvement with political violence.

Senator ASHCROFT. Well, let me thank you, and there may be other nominees. Yes, I see there are. Some of them have endured this and they would be available for me to recall them to the table, I am sure, but we will not do that.

I want to thank all of you for appearing today. I thank all of you for being willing to serve your country. I am particularly concerned about the United States projecting and otherwise participating in settings where people lose their lives and we maintain a very serious level of support for sometimes—simply maintain a Government where there is an absence of cooperation.

And I would be loath to think that I participated in the confirmation of individuals who would be involved in some effort where the United States did not clearly demand and with every capability available to it insist on a respect for the fundamental right to avoid assassination for one's political views.

So I thank you all, each of you, and in each of your respective posts if you are indeed confirmed by the Senate, it is my hope that you will advance the freedoms that America stands for around the world, that you will advance them in these specific countries to which you are assigned, and that you will be relentless in your pursuit of those objectives.

I think the United States, as I started the hearing commending the President for having gone to Africa, we have a tremendous opportunity to influence and assist people in Africa. I will be submitting some written questions regarding your assignments as it relates to Africa. The record will remain open for questions and additional comments until Thursday, July 30.

I think I have given each of you the chance to make the remarks you wish to make, and I thank you for coming, and I thank all of you for your attention.

The meeting is adjourned.

[Whereupon, at 6:55 p.m., the committee adjourned, subject to the call of the Chair.]



## APPENDIX

---

UNITED STATES DEPARTMENT OF STATE,  
WASHINGTON, D.C. 20520,  
*July 29, 1998.*

THE HON. JESSE HELMS,  
CHAIRMAN,  
COMMITTEE ON FOREIGN RELATIONS,  
UNITED STATES SENATE.

DEAR MR. CHAIRMAN:

Following the July 23, 1998 nomination hearing at which Ambassador-Designate Joseph Sullivan testified, additional questions were submitted for the record. Please find enclosed the responses to those questions.

If we can be of further assistance to you, please do not hesitate to contact us.

Sincerely,

BARBARA LARKIN,  
ASSISTANT SECRETARY,  
LEGISLATIVE AFFAIRS.

Enclosures: As stated.

### RESPONSES OF AMBASSADOR-DESIGNATE JOSEPH SULLIVAN TO QUESTION ASKED BY SENATOR HELMS

*Question.* What plans does the Administration have to sell C-130 aircraft to Angola?

Answer. A U.S. private defense contractor, Lockheed Martin, has expressed an interest in selling the Angolan Air Force six used C-130K aircraft currently in the inventory of the United Kingdom's Royal Air Force. The aircraft in question are over 30 years old. Before this sale can take place, however, Lockheed Martin would need to apply for a license to export Significant Military Equipment, as required under U.S. law. The company has not yet made this application.

A U.S. decision to suspend military-to-military cooperation with the Angolans remains in effect. This policy was implemented in November 1997 to demonstrate U.S. opposition to the presence of Angolan troops in neighboring Congo (Brazzaville) and does not permit sales of any type of military equipment.

---

### RESPONSES OF AMBASSADOR-DESIGNATE JOSEPH SULLIVAN TO WRITTEN QUESTIONS BY SENATOR HELMS AND SENATOR ASHCROFT

*Question 1.* What sanctions had been imposed against UNITA prior to June 1998? Please outline the new sanctions imposed by UN Security Council Resolution 1173 of June 12, 1998.

Answer. In September 1993, the UN imposed sanctions prohibiting the sale or supply of arms and related materiel, including weapons and ammunition, military

vehicles and equipment, and of petroleum and petroleum products to UNITA. In October 1997, additional sanctions were imposed. These included:

- a restriction against the entry of senior UNITA officials and their adult family members into any country;
- suspension or cancellation of travel documents, visas, and residence permits for senior UNITA officials and adult family members;
- closure of UNITA's overseas offices; and
- restrictions against any flights into and out of UNITA-held territory, and the provision of services to aircraft engaged in such flights.

On July 1, a further set of sanctions went into effect, as a result of UN Security Council Resolution 1173. These include:

- a freeze on the bank accounts of UNITA and those individuals designated as senior UNITA officials;
- a ban on the import of diamonds from Angola, unless accompanied by an Angolan Government Certificate of Origin;
- a ban on the sale of mining equipment to UNITA; and
- a ban on sales of motor vehicles and water craft to UNITA.

*Question 2.* To what degree, in your view, has UNITA demobilized its forces? Where are its principal deployments today? What territory does it control?

Answer. UNITA reported that it was fully demobilized and was certified as demilitarized by the UN Observer Mission in Angola (MONUA) and by the Joint Commission in March 1998. However, in June, MONUA acknowledged—and UNITA has subsequently admitted—that UNITA continues to have forces under its control. Estimates of current UNITA strength range from 15,000 to as many as 40,000 troops. In addition, there are additional numbers of armed groups which remain loyal to UNITA but whose links to UNITA's central command are more tenuous. UNITA has conducted military attacks in at least 10 of the country's 18 provinces and is believed to have significant numbers of forces in the country's eastern provinces.

*Question 3.* How effectively can sanctions against UNITA be enforced? Please discuss UNITA's potential for obtaining supplies and exporting diamonds by air and by smuggling into neighboring states.

Answer. The effectiveness of any UN sanctions depends on the extent to which UN member states are willing to enforce them. In Angola's case, the sanctions are against a political movement, rather than a state, and as such their effectiveness depends also on the ability of the Angolan government to police its extensive borders with the former Zaire, Namibia, Zambia, and the Congo. We believe that notwithstanding the sanctions of 1993, UNITA has been able to re-supply itself with arms and ammunition. The ban on flights into UNITA territory that went into effect last October, has made it more difficult, we believe, for UNITA to receive supplies by air. In January 1998, Angolan authorities intercepted an airplane bringing mining equipment to UNITA. Members of the crew remain in custody. As for the export of diamonds, the ease with which they can be smuggled out of the country will considerably complicate enforcement of the latest sanctions. Buyers of rough Angolan diamonds will now be required to obtain a certificate of origin from appropriate Angolan government authorities in order not to be in violation of the July 1, 1998 UN sanctions.

*Question 4.* The State Department's 1997 Human Rights Report on Angola lists numerous serious human rights violations on the part of Angola's MPLA-dominated government. These include a large number of violent crimes committed by state security forces, credible reports that the police commit torture, routinely beat detainees in prisons, arbitrary arrest and detention, and the routine use of the security forces to serve the interests of the MPLA. According to the State Department, the citizens of Angola "have no effective means to change their government." In these circumstances, do you believe that UNITA will be able to survive as an opposition political party in Angola if it disarms and completes implementation of the Lusaka Protocol? Would it be free to participate in the political process? Please explain.

Answer. The State Department's 1997 Human Rights Report notes that both Angolan security forces and UNITA forces were responsible for political and extra-judicial killings, rape, intimidation of civilians, and other human rights abuses. The 1991 Bicesse Accords attempted to restore normalcy to Angola, and end the bitter civil war through a negotiated agreement. In Angola's 1992 elections—the first since independence—UNITA won 34 percent of the vote and Dr. Savimbi over 40 percent of the Presidential vote. Regrettably, UNITA rejected the election results and it was only in April 1997 that its 70 elected Deputies took their seats in the National Assembly as part of a new understanding reached in the November 1994 Lusaka Protocol. After more than twenty years of conflict, the way forward for the people of Angola is through a functioning democracy in which political parties are free to com-

pete for electoral office. The International Republican Institute and the National Democratic Institute have been active in helping to train parliamentarians from both the MPLA and UNITA on legislative tradecraft, drafting a new constitution, effective parliamentary debate, accountability of government ministers and other skills designed to enhance the effectiveness of Angola's elected officials.

The MPLA-led government still has a considerable way to go in creating a truly open society. The U.S. has been open in criticizing the government for its shortcomings in this regard and, at the same time, continues to press UNITA to assume its role as a robust leader of the opposition. We have assured Dr. Savimbi that we will resolutely defend UNITA's right to participate freely in the political arena. An Angola at peace will need a party like UNITA to function as a strong and effective opposition.

*Question 5.* The Department's 1997 Human Rights Report notes that the MPLA government maintains extensive state security forces. Please describe these forces. Do you regard them as an impediment to democratization in Angola? Please explain.

Answer. Angola's security forces include the Angolan Armed Forces (FAA) consisting of approximately 90,000 men, and the Angolan National Police (ANP) consisting of some 60,000 personnel. The ANP includes para-military Rapid Intervention Police (PIR) numbering about 8,000 men, used to provide VIP escort and reinforce ANP units as needed. The PIR were confined to barracks under the Lusaka Protocol until October 1997, but are no longer subject to this restriction. About 12,000 UNITA troops, including nine UNITA generals, have been integrated into the FAA under the Lusaka Protocol.

The UN Observer Mission in Angola (MONUA) has uncovered frequent instances in which ANP members acted heavy-handedly in seeking to establish national government administration in former UNITA strongholds. The State Department and MONUA have condemned ANP abuses against civilians and reminded the Angolan government of its obligation to facilitate, rather than thwart, the reconciliation process.

The U.S. and the UN Security Council continue to urge the Angolan government to exercise more effective control over the ANP in an effort to stem police abuses, and there has been some positive response to these urgings.

I believe that in order to advance democratization and reconciliation in Angola, it is essential that police abuses are ended, and cooperation be forthcoming from both sides in the extension of state administration throughout the country.

*Question 6.* What is the situation in Angola with respect to freedom of the press? What actions, if any, have been taken by U.S. diplomats to encourage the Angolan government to respect this freedom?

Answer. Although Angola's constitution provides for freedom of the press, the Angolan government in practice does not tolerate media criticism and justifies its tight control over the media on national security grounds. It recently withdrew television coverage of National Assembly debate on the budget following unfavorable coverage of government ministers being criticized by an MPLA parliamentarian for not allocating more on social programs. The government runs Angola's only television station and its one daily newspaper. The Voice of America airs a highly popular 30-minute program each day that provides an alternative news and information source to Angola's major government-run radio station. Television programming by the BBC and CNN is accessible in Angola via cable, though the government prohibits direct retransmission. Journalists at the few weeklies and five private radio stations exercise self-censorship. While newsletters critical of the country's low socioeconomic development have been allowed to operate the knowledge that the editor of one such publication was killed in 1995 after publishing an article on government corruption likely acts as a restraint against publication of overly provocative material. The U.S. has clearly identified restrictions on freedom of the press in its annual Human Rights Report on Angola, and actively supports the Voice of America's Angola-specific democracy programs.

*Question 7.* UNITA leader reportedly fears assassination if he were to take up residence in Luanda and assume the role of a civilian opposition leader. In your view, are such fears justified? How could Savimbi's security best be assured?

Answer. Under the terms of an agreement with the Government of Angola, Dr. Savimbi is allowed to retain a personal security force consisting of 400 men who are to be integrated into the Angolan National Police. 65 of these provide for Savimbi's security in Luanda and the remainder is designated to protect him at his residences elsewhere in the country. Dr. Savimbi has not yet identified the 400 men for his security force. While Dr. Savimbi alone can judge whether he feels secure in Luanda, I believe that the UNITA-Government of Angola agreement allowing him to retain a sizable security detail was a positive step in dealing with Dr. Savimbi's security concerns.



*Question 8.* What is UNITA's human rights record?

Answer. The poor human rights situation in Angola is a direct reflection of the country's experience with over two decades of civil war. With a breakdown of the country's judicial system and an ongoing contest for control of large sections of the country, both official security forces and UNITA are guilty of committing human rights abuses. While it is often difficult to categorically identify perpetrators of gross human rights violations, suspected UNITA forces have been implicated by the UN Observer Mission in Angola (MONUA) in attacking and burning villages, detaining individuals, engaging in acts of banditry, harassing people at roadblocks, and other acts of intimidation. UNITA also has conducted extra-judicial killings, forced conscription of able-bodied men, and torture, and is responsible for disappearances. The U.S. has also had reports that Savimbi detains family members of UNITA officials in areas under his control as insurance against defections.

Answer. In addition to restricting freedom of movement, UNITA under Savimbi also restricts freedom of speech, assembly, and association. It also has refused to cooperate with UN human rights monitors investigating allegations of human rights violations.

*Question 9.* The press has reported rumors that Angolan President Eduardo dos Santos is seriously ill. What information do you have on the president's health? What effect would his death have on prospects for the completion of the peace process in Angola?

Answer. The U.S. is aware of periodic speculation about the declining health of President dos Santos but has no basis on which to attest to the credence of such reports. President dos Santos continues to receive foreign dignitaries, including US Secretary of State Albright in December 1997, and travels abroad quite regularly. Were dos Santos to die, Angola's constitution provides for the President of the National Assembly to replace him. The U.S. has no reason to believe that a successor to President dos Santos would renege on the government's commitment to complete implementation of the peace process.

*Question 10.* What is your estimate of the probability that civil war will resume in Angola over the next several months? Have you seen indications that the MPLA might be planning an offensive against UNITA? Has UNITA made preparations for an offensive of its own?

Answer. The almost four years since the signing of the Lusaka Protocol in November 1994 has provided Angola with its longest period of peace since Angola's struggle for liberation in 1961. More than two decades of civil war following independence in 1975 have left the country deeply divided, and left a legacy of human and material devastation that will take generations to overcome. Although the peace process has faltered in recent months, we should not forget the tremendous strides that UNITA and the government have made since 1994 in moving Angola toward peace. As tensions began to build in May, both UNITA and the government began to mobilize, and both sides have engaged in forced conscription in recent weeks. Yet, we believe that neither side has an interest in returning to war, and the Angolan people themselves are tired after decades of conflict. We believe that with the continued involvement and support of the international community, Angola will be able to prolong the peace and begin the urgent task of rebuilding a battered society.

*Question 11.* In your view, how effectively has the United Nations peacekeeping force in Angola performed? What are its principal achievements? What are the principal obstacles it has faced?

Answer. The United Nations peacekeeping force has been very effective in investigating cease-fire violations, supporting the humanitarian assistance efforts of U.S. and international NGO's, and overseeing the registration, quartering, and demobilization of over 60,000 UNITA fighters. It continues to investigate reports of violence, whether committed by UNITA or by members of the Angolan National Police. Its principal achievement has been in helping to facilitate effective implementation of the Lusaka Protocol, including the all-important task of restoring government control to areas of the country formerly under UNITA control. In so doing, it has helped to create conditions for Angola to experience almost four years of peace.

Answer. UN peace keepers have encountered several obstacles in carrying out their mandate. Problems include failure of the Government to keep MONUA informed of all its troop movements (as required under the Lusaka Protocol); frequent attempts by UNITA, in particular, to deny MONUA access to UNITA-held territory to conduct investigations; attacks on MONUA patrols; and the failure of UNITA to demobilize.

*Question 12.* The Organization of African Unity (OAU) recently voted to ease African observance of the United Nations sanctions against Libya. How did Angola vote on that resolution? What has been the Administration's reaction to the OAU vote? Has this reaction been communicated directly to the Angolan regime?

Answer. The OAU decision to ease compliance with United Nations sanctions on Libya was a consensus decision taken at a recent OAU meeting. No formal vote by Angola or other member states was required. The administration is deeply concerned by the OAU resolution, and has informed the government of Angola and those of other OAU member states of the importance of maintaining the integrity of UN resolutions. The recent OAU action, in fact, makes it less, rather than more, likely that the Lockerbie matter will be resolved quickly. As with other African states, we have also informed the government of Angola that any violation of UN sanctions against Libya will be referred to the Sanctions Committee of the UN Security Council for appropriate action.

*Question 13.* What is the overall status of the Angolan economy today? Are there indications that the improved security situation, however tenuous, has begun to spark economic recovery?

Answer. In 1996 and 1997 there were some positive aspects to the performance of Angola's national economy. Economic growth in 1996 was estimated at 8.6% and was expected to increase to nearly 9.5% in 1997. This economic growth was largely due to increased oil production and high world prices for crude. Despite additional oil production increases, growth is expected to decline sharply in 1998 due to the reduction in world oil prices.

Inflation dropped from 84% per month in mid-1996 to levels averaging below 10% per month by the end of 1996, although they have subsequently risen. The gap between official and parallel exchange rates has narrowed. To reduce inflation and narrow the exchange rate gap, the Government stopped printing money to finance its expenditures, and ceased paying salaries and bills, thus building arrears. Although not a sustainable practice, it has continued since early 1997.

There has been some progress in other areas. To improve transparency, an oil account has been established to record the disposition of all oil export receipts and all claims that arise as a result of the Government's use of future export receipts to guarantee its borrowing.

Much remains unchanged. Government arrears continue to mount, and salaries have remained unpaid for months at a time. When portions of them are eventually paid, much of their value has already been eroded by inflation. At an estimated 18% of GDP, the budget deficit remains high. There has been little or no change in expenditure patterns which favor the military over the badly needed social sector. Changes have been made in import licensing and in procedures for acquiring foreign exchange, which strengthen Government control over illicit exchange profiteering. A complicated price regime remains in place which limits the flow of imported items to the interior of the country.

Despite very dangerous conditions on most highways in Angola, late 1997 and early 1998 brought distinct signs of increased economic activity. Much of this was evident from significantly increased truck traffic. A substantial trade in South African products is now carried on, most of the transactions taking place initially at the Namibian border, with trucks transporting a wide range of products to Luanda and other major cities. Further, small entrepreneurs started up operations purchasing local agricultural production in the countryside as much as 100 kilometers from Luanda to bring products for sale in Luanda's markets. Increased stability and the removal of barriers to land transportation would bring immediate growth to the Angolan agricultural sector, the area most able to absorb the significant excess in labor supply.

*Question 14.* Please describe the Angolan oil sector. What is the current level of production? What are the prospects for increased production? What firms are involved in producing and exporting oil from Angola?

Answer. The Angolan offshore oil sector is currently one of the most rapidly growing in the world. Major oil firms are engaged in major exploration efforts, and are planning multi-billion dollar investments to bring recently discovered oil fields into production. In recent years when the Angolan government opens bidding for new oil concessions, as it did in May of this year for the first of the ultra-deep water blocks (water depth from 1000 to 2000 meters), the competition from major oil firms has been intense. Oil firms indicate that the initial results from seismographic studies off major areas of the Angolan coast show very promising geological structures that merit the expense of acquiring concessions and initiating exploratory drilling. Angola currently produces more than 725,000 barrels per day (bpd), and that rate is expected to reach 1 million bpd by the end of 2000. Recent finds in northern deep water blocks by Chevron, Exxon, and ELF-Acquataine have led industry experts to predict that current production levels will double in five to seven years, and that Angolan oil reserves may exceed those of Nigeria. Major U.S. oil firms now producing and exporting oil from Angola are Chevron and Texaco. Exxon, Amoco, and Mobil all have concessions in which they are currently conducting exploratory seis-

mographic and drilling work. Additional U.S. firms indicated their intention to submit bids in the latest concession round.

*Question 15.* According to the FY1999 Congressional Presentation of the U.S. Agency for International Development, "the U.S. gets nearly 7% of its petroleum from Angola; this level is expected to increase to 15% within ten years." Why is our reliance on oil from Angola increasing?

Answer. Oil from Angola is a relatively light low-sulphur oil which meets the needs of U.S. east coast refineries. Transportation costs from Angola to the east coast of the U.S. are significantly less than that of oil from the Mideast, and the production of African offshore oil has not been significantly affected even during periods of political instability in countries where the oil is produced. Therefore increased Angolan production is likely to also be purchased by U.S. importers. Angola currently exports nearly 75% of its oil to the U.S.

*Question 16.* In your view, what priority should Angola's oil wealth have in the making of U.S. policy toward Angola? Has Angola's oil restrained U.S. policy makers in their advocacy of democracy and respect for human rights in Angola?

Answer. Ensuring fair access for U.S. firms for investment and export opportunities in the Angolan economy is one of the key tenets of our policy toward Angola. This includes the oil industry, and recognizes the strategic U.S. need for access to new fuel sources in coming decades. However, we have an absolute commitment toward achieving a peaceful and stable solution to Angola's more than three decades of violence and civil war. The need to stimulate democratic reform and international standards of human rights is a key element of our support for a stable and peaceful Angola, which is a necessity to permit the rebuilding of the Angolan economy. An economically vibrant Angola will be an increasingly valuable trading partner with multiple opportunities for investment and export for U.S. firms.

*Question 17.* The wide dispersal of land mines in Angola is a significant hindrance to the recovery of its rural areas. What are the current estimates of the number of land mines remaining in Angola? What efforts are underway to remove these mines? What assistance is being offered by the United States?

Answer. Recent reports suggest that there are 5 to 10 million planted land mines in Angola. While major arteries have been cleared, and large concentrations of mines demarcated, the location and removal of mines will remain a critical priority for Angola for years to come. U.S. assistance delivered this year (some of it authorized in previous years) will be approximately \$5 million, much of it dedicated to demarcation and awareness training programs which have a significant dollar-for-dollar effect. The recent growth in levels of armed activity in a number of provinces has also brought an increasing number of remaining incidents. Mines have been laid by UNITA to limit access to regions of the country that they control, and also as an element in ambushes carried out against vehicles.

*Question 18.* South African firms have been showing a strong interest in Angola's minerals and in other sectors of the Angolan economy. What contribution do you expect that South Africa will make to Angola's economic recovery? Do South Africa's economic interests in Angola compete with those of the United States, or are they complementary?

Answer. South Africa is expected to be a major supplier of capital to Angola, and also a significant provider of consumer goods, and intermediate and finished products. South African commercial networks are currently active in South Africa and likely to increase their market share as the economy grows. However, these South African firms often distribute American products. South African-owned firms are the sole distributors in Angola for Caterpillar equipment, and for Xerox products, and are expected to hold the management contract for Coca Cola's new multi-million dollar production and distribution facilities. In these sectors of the economy the significant South African presence appears likely to assist U.S. export sales.

South African firms do not have a significant presence in the oil sector, where the bulk of current U.S. commercial and investment interests are concentrated. However, De Beers is one of the key players in commercializing and producing diamonds, and will be an extremely active competitor for American firms in this sector. Smaller South African firms and consultants are also active in the diamond sector. When security considerations permit resumed mining activity for other minerals, South African firms are also likely to play important roles.

*Question 19.* What is the current status of Angola's diamond industry? What portion of the diamond rich area is in UNITA hands? What progress has been made in restoring diamond production?

Answer. We have no firm information on current production levels of Angolan diamonds nor on the proportions of that production controlled by UNITA and by the Government. There is some speculation that the most easily accessible alluvial diamond deposits in the Cuango River valley in Lunda Norte Province had already

begun to play out when UNITA gave up that area at the beginning of the year. The Government now controls that portion of the country, at least nominally, but a number of recent clashes and attacks have taken place there. We understand that new diamond workings are being developed by UNITA in other parts of the country, including the Cuanza River valley in central Angola, and areas in Cuando Cubango Province but have no information about production levels. There continues to be some activity in the capital-intensive development of several of the most promising kimberlite pipes, all in areas of Government control, but current levels of insecurity in the northeast will likely slow down the pace of these projects.

*Question 20.* Please discuss the progress of Angola's economic reform program. In your view, is the MPLA, which was once a Marxist movement, firmly committed to free market principles?

Answer. The government's current economic management team has remained in place since June, 1996. The team has announced a number of fairly significant economic reform measures, which, if fully implemented, the IMF and the IBRD believe could provide the framework for launching a comprehensive structural adjustment program which the Fund and the Bank could conceivably support. An IMF mission visited Angola in May, and proposed a flexible, post-conflict adjustment model as the basis for a "shadow" agreement between Angola and the IMF. The mission had productive discussions at ministerial and technical levels, a significant departure from earlier visits. The Angolan Finance Minister is expected to visit Washington next month for follow-on consultations with the IMF.

The MPLA has abandoned its Marxist rhetoric, and key leaders do appear to understand the necessity of completing transition to a free-market economy. However, implementation of this transition will bring substantial changes for many in Angola's political and economic elite, increasing the difficulties faced by the economic team in their attempts to carry the process out.

*Question 21.* What is the extent of corruption in Angola? To what degree does corruption hinder U.S. investment?

Answer. Most observers, in and out of Angola, would agree that corruption and the perception of corruption, has been a critical burden on the economy. The full extent of corruption is unknown, but significant amounts of oil revenues are suspected to be diverted before ever becoming government revenue. Further, over-invoicing on government contracts is a regular occurrence. The combination of military expenditures, mismanagement, and corruption has ensured that spending on social services and development is far less than required.

Contracts and concessions in the oil industry have been managed professionally by the state oil company, SONANGOL. This relatively level playing field has thus served well for U.S. firms with significant financial assets and proven technological capacity to carry out the type of advanced exploration and production required for deep water Angolan oil reserves. The Government has also been careful to avoid in the oil industry the type of excess and piecemeal regulation that hampers investment in other sectors of the economy, and creates additional opportunity for corruption. A far more significant barrier to U.S. investment in Angola has been the instability of the security situation.

*Question 22.* The Clinton Administration is requesting \$13 million in development assistance for Angola in FY1999, the same level as estimated assistance in FY1998. Aid under the security-oriented Economic Support Fund program (ESF), however, is slated to decline from \$10 million to \$2 million. What are the objectives of our assistance program in Angola? What successes can you point to? Why is the Administration requesting a lower level of ESF aid for the coming fiscal year?

Answer. The two primary objectives of our assistance program for Angola are the increased resettlement, rehabilitation and food-crop self reliance of war-affected communities, and increased national reconciliation through strengthened civil society and political institutions.

As part of the first objective, resettlement and rehabilitation, USAID supported mother-child health programs which resulted in vaccinations of 870,000 children and mothers; it also trained 2,300 adults to provide clinical and occupational therapy to 71,000 war traumatized children. Food security levels increased in communities with significant numbers of resettled persons, and more than 340,000 people were able to phase off USAID-funded feeding programs. USAID also supported 668 village and agricultural infrastructure projects, rehabilitated 1600 kilometers of rural roads and 74 bridges, and rehabilitated irrigation canals and reservoirs to serve an estimated 68,000 people, primarily through food-for-work programs.

Under the second objective, strengthening civil society and political institutions, USAID is working to increase cooperation between the Government and UNITA as a political party. The International Republican Institute continues its work with Parliament and with political parties. Its nine programs have won unqualified

praise from all political parties, and extensive media coverage. As a result, several political parties have undertaken significant restructuring, and the formation of a coalition to increase effectiveness in Parliament. In each of the programs the participants took part in activities to enhance reconciliation and dialogue. The National Democratic Institute focussed on a project to train new local administrators destined for areas where state administration has recently been reestablished. Other NGO projects worked to strengthen local NGOs and train journalists and lawyers in human rights.

USAID has also strengthened its coordination and cooperation with the major U.S. oil companies operating in Angola. Cooperation agreements are under discussion with two major oil firms, and USAID staff have provided guidance on social investment options to other firms, including organizing a forum bringing together NGOs and international assistance organizations with businesses active in Angola and interested in participating in social development projects.

The Economic Support Fund program has been the primary source of funding for democracy and governance programs for FY 1998. Funding levels for 1999 and 2000 are expected to drop below current levels, due to competing needs in other African countries. However, those levels are under review at this time, and an increase in the level allotted for Angola is possible.

---

RESPONSES OF AMBASSADOR-DESIGNATE JOSEPH SULLIVAN TO QUESTIONS ASKED BY  
SENATOR FEINGOLD

*Question 1.* Given recent attacks on UN personnel, what is the status of the UN mission in Angola? Has the UN peacekeeping force in Angola performed effectively? If so, what are its principal achievements? What kind of obstacles is the UN mission facing in Angola?

Answer. The UN Observer Mission in Angola (MONUA) has a UN Security Council mandate to be in Angola through August 15. This mandate is likely to be extended to allow for completion of the Lusaka Peace Process. The UN peacekeeping force has been very effective in investigating cease-fire violations, supporting the humanitarian assistance efforts of U.S. and international NGO's, and overseeing the registration, quartering, and demobilization of over 60,000 UNITA fighters. It continues to investigate reports of violence, whether committed by UNITA or by members of the Angolan National Police. Its principal achievement has been in helping to facilitate effective implementation of the Lusaka Protocol, including the all-important task of restoring government control to areas of the country formerly under UNITA control. In so doing, it has helped to create conditions for Angola to experience almost four years of peace. UN peace keepers have encountered several obstacles in carrying out their mandate. Problems include failure of the Government to keep MONUA informed of all its troop movements (as required under the Lusaka Protocol); frequent attempts by UNITA, in particular, to deny MONUA access to UNITA-held territory to conduct investigations; attacks on MONUA patrols; and the failure of UNITA to demobilize.

*Question 2.* Please compare the human rights records of UNITA and of the Angolan government.

Answer. The State Department's 1997 Human Rights Report notes that Angolan security forces were responsible for political and extra-judicial killings, rape, intimidation of civilians, and other human rights abuses. The Report lists numerous serious human rights violations on the part of Angola's MPLA-dominated government. These include a large number of violent crimes committed by state security forces, credible reports that the police commit torture, routinely beat detainees in prisons, arbitrary arrest and detention, and the routine use of the security forces to serve the interests of the MPLA.

With respect to UNITA, suspected UNITA forces have been implicated by the UN Observer Mission in Angola (MONUA) in attacking and burning villages, detaining individuals, engaging in acts of banditry, harassing people at roadblocks, and other acts of intimidation. UNITA also has conducted extra-judicial killings and torture, forced conscription of able-bodied men, and is responsible for disappearances. The U.S. has also had reports that Savimbi detains family members of UNITA officials in areas under his control as insurance against defections.

In addition to restricting freedom of movement, UNITA under Savimbi also restricts freedom of speech, assembly, and association. It also has refused to cooperate

with UN human rights monitors investigating allegations of human rights violations.

*Question 3.* The Lusaka Protocol calls for UNITA to become part of a government of national unity. This includes getting Cabinet posts, ambassadorships and provincial government posts—some of which, I believe, have already been allocated to UNITA members. To what extent would you consider UNITA to actually be part of the Government of National Unity? Is UNITA a viable political party? What are the primary constraints to final implementation of the political aspects of Lusaka?

Answer. UNITA's role in the Government of National Unity was set by the terms agreed to in the Lusaka Protocol. The agreement was very specific in laying out the positions to which UNITA officials would be entitled, and included four Ministerial portfolios, seven Vice Ministerial positions, three provincial governorships, and over one hundred positions at the municipal and local level. UNITA is already filling these positions in the Ministries and these Ministers have authority similar to other Ministers in their area of responsibility.

UNITA is a viable political party which drew a considerable minority of votes in the 1992 elections, and has 70 delegates sitting in the National Assembly, as well as representation in the Constitutional Drafting Committee. It is extremely important for UNITA to participate fully in the political process and for the Angolan Government to encourage this participation and a full role for UNITA as leader of the opposition.

The largest obstacle to the final implementation of the political aspects of the Lusaka Protocol is for UNITA to return to government control the four key towns that continue to remain under its control in the central highlands. UNITA set and then missed five deadlines for turning over these towns. It is also important that the Government assure that its behavior in areas returned to its control is fully consistent with the reconciliation objectives of the Lusaka Protocol.

*Question 4.* To what degree, in your view, has UNITA demobilized its forces? Where are its principal deployments today? What territory does it control?

Answer. UNITA reported that it was fully demobilized and was certified as demilitarized by the UN Observer Mission in Angola (MONUA) and by the Joint Commission in March 1998. However, in June, MONUA acknowledged—and UNITA has subsequently admitted—that UNITA continues to have forces under its control. Estimates of current UNITA strength range from 15,000 to as many as 40,000 troops. In addition, there are additional numbers of armed groups which remain loyal to UNITA but whose links to UNITA's central command are more tenuous. UNITA has conducted military attacks in at least 10 of the country's 18 provinces and is believed to have significant numbers of forces in the country's eastern provinces.

*Question 5.* The Department's 1997 Human Rights Report notes that the MPLA government maintains extensive security forces. Please describe these forces. Do you regard them as an impediment to democratization in Angola? Please explain?

Answer. Angola's security forces include the Angolan Armed Forces (FAA) consisting of approximately 90,000 men, and the Angolan National Police (ANP) consisting of some 60,000 personnel. The ANP includes para-military Rapid Intervention Police (PIR) numbering about 8,000 men, used to provide VIP escort and reinforce ANP units as needed. The PIR were confined to barracks under the Lusaka Protocol until October 1997, but are no longer subject to this restriction. About 12,000 UNITA troops, including nine UNITA generals, have been integrated into the FAA under the Lusaka Protocol.

The UN Observer Mission in Angola (MONUA) has uncovered frequent instances in which ANP members acted heavy-handedly in seeking to establish national government administration in former UNITA strongholds. The State Department and MONUA have condemned ANP abuses against civilians and reminded the Angolan government of its obligation to facilitate, rather than thwart, the reconciliation process. The U.S. and the UN Security Council continue to urge the Angolan government to exercise more effective control over the ANP in an effort to stem police abuses, and there has been some positive response to these urgings.

I believe that in order to advance democratization and reconciliation in Angola, it is essential that police abuses be ended, and cooperation be forthcoming from both sides in the extension of state administration throughout the country.

*Question 6.* What is the situation in Angola with respect to freedom of the press? What actions, if any, have been taken by U.S. diplomats to encourage the Angolan government to respect this freedom?

Answer. Although Angola's constitution provides for freedom of the press, the Angolan government in practice does not tolerate media criticism and justifies its tight control over the media on national security grounds. It recently withdrew television coverage of National Assembly debate on the budget following unfavorable coverage of government ministers being criticized by art MPLA parliamentarian for not allo-

cating more on social programs. The government runs Angola's only television station and its one daily newspaper. The Voice of America airs a highly popular 30-minute program each day that provides an alternative news and information source to Angola's major government-run radio station. Television programming by the BBC and CNN is accessible in Angola via cable, though the government prohibits direct retransmission. Journalists at the few weeklies and five private radio stations exercise self-censorship. While newsletters critical of the country's low socioeconomic development have been allowed to operate, the knowledge that the editor of one such publication was killed in 1995 after publishing an article on government corruption likely acts as a restraint against publication of overly provocative material. The U.S. has clearly identified restrictions on freedom of the press in its annual Human Rights Report on Angola, and actively supports the Voice of America's Angola-specific democracy programs.

*Question 7.* The U.S. gets nearly 7% of its petroleum from Angola; some estimates believe this level will increase to 15% within ten years. Some observers believe that Angola's oil wealth and the expanding opportunities for the U.S. in that sector has constrained U.S. policymakers in their advocacy of democracy and respect for human rights in Angola. Please comment.

Answer. Ensuring fair access for U.S. firms for investment and export opportunities in the Angolan economy is one of the key tenets of our policy toward Angola. This includes the oil industry, and recognizes the strategic U.S. need for access to new fuel sources in coming decades. However, we have an absolute commitment toward achieving a peaceful and stable solution to Angola's more than three decades of violence and civil war. The need to stimulate democratic reform and international standards of human rights is a key element of our support for a stable and peaceful Angola, which is a necessity to permit the rebuilding of the Angolan economy. An economically vibrant Angola will be an increasingly valuable trading partner with multiple opportunities for investment and export for U.S. firms.

*Question 8.* Please discuss the progress of Angola's economic reform program. In your view, is the MPLA, which was once a Marxist movement, firmly committed to free market principles? What steps is the government taking towards poverty alleviation?

Answer. The government's current economic management team has remained in place since June, 1996. The team has announced a number of fairly significant economic reform measures, which, if fully implemented, the IMF and the IBRD believe could provide the framework for launching a comprehensive structural adjustment program which the Fund and the Bank could conceivably support. An IMF mission visited Angola in May, and proposed a flexible, post-conflict adjustment model as the basis for a "shadow" agreement between Angola and the IMF. The mission had productive discussions at ministerial and technical levels, a significant departure from earlier visits. The Angolan Finance Minister is expected to visit Washington next month for follow-on consultations with the IMF.

The MPLA has abandoned its Marxist rhetoric, and key leaders do appear to understand the necessity of completing transition to a free-market economy. However, implementation of this transition will bring substantial changes for many in Angola's political and economic elite, increasing the difficulties faced by the economic team in their attempts to carry the process out.

There has been little or no change in expenditure patterns, which favor the military over the resource-deficient social sector. Government and international organizations are focusing their poverty alleviation efforts on self-help rehabilitation of war-torn communities. These initiatives encompass rebuilding of local infrastructure and agricultural extension efforts, including provision of tools and seeds.

---

RESPONSES OF AMBASSADOR-DESIGNATE JOSEPH SULLIVAN TO QUESTIONS ASKED BY  
SENATOR ASHCROFT

*Question 1.* Do you think Haiti is establishing a political system that is credible, transparent and increasingly irreversible?

Answer. I believe that Haiti is making slow, but clear progress toward establishing a credible and transparent democratic system which is increasingly irreversible. While some areas such as the institution of an efficient and well-trained police and privatization of state enterprises have progressed faster than others, such as judicial reform, I believe that Haiti has made substantial progress toward instituting the credible and transparent system the Haitian people want and deserve.

*Question 2.* Has there been any organized electoral fraud in Haiti, and if so, in which elections?

Answer. The only elections which took place during my year as Haiti Coordinator and of which I have any knowledge were the elections of April 6, 1997, for Senate and local authorities. As is frequently the case in Haiti, efforts to agree on electoral procedures were marred by political disagreements and absence of consensus. The provisional Election Council took many, but not all the preparation steps recommended by international advisers. The turnout on election day was very low, and the voting itself took place with some irregularities. Subsequent to the election, serious questions arose over the count and over election commission rulings, particularly as regards two Senate races. These disputes have prevented movement on the Senate contests and are among the issues being addressed in current efforts to resolve Haiti's 13-month political impasse.

#### LEROY-FLEURIVAL MURDERS

*Question 1.* Did any Haitian investigator assigned to investigate the Leroy-Fleurival cases quit out of fear for his life? Did any officials of the GOH express concern that their men would be put at risk by investigating the Leroy-Fleurival murders?

Answer. Yes, I believe that an investigator quit the case, alleging such fears and that other officials expressed such fears. The alleged killers of Leroy-Fleurival were dangerous men, known to have killed before and one of them had broadcast warnings to his pursuers on private radio.

*Question 2.* Were the directors of the government's security forces implicated in the murders of Leroy and Fleurival in August 1996? Were these men appointed by Aristide and answerable directly to him?

Answer. To my knowledge, the Director of the Palace Security Unit (PSU) was involved in sending members of the Unit to the scene of the Leroy-Fleurival murders and also had connections with one of the alleged murderers, Eddy Arbrouet. I believe the Deputy Director of the Unit was not in Port-au-Prince on the day of the murders, but was believed to be knowledgeable about the use of irregular operatives such as Arbrouet. The PSU Director and Deputy Director were appointed during Aristide's Presidency, although I do not have information that led me to believe they were answerable directly to Aristide at the time of the murders.

*Question 3.* Were Leroy and Fleurival in the custody of the government's security forces when they were murdered?

Answer. To the best of my knowledge, no officially authorized government security entity took Leroy and Fleurival into custody. Instead, the information I have seen suggests that irregular Operatives including Eddy Arbrouet seized Leroy and Fleurival and killed them. The Palace Security Unit (PSU) Director Moise was apparently in contact with the irregular operatives and dispatched a number of PSU members to the scene where they were near the scene of the murders.

*Question 4.* By August 1996, how long had government hit squads been operating out of government security units? Did you receive information that the assassination plots within the palace security forces continued after the Leroy-Fleurival murders?

Answer. To the best of my knowledge, the Leroy-Fleurival murders were the first such murders since President Preval had taken office and had dismissed a number of officials alleged to have connections to previous murders from his government. I do not recall receiving any credible information that assassination plots continued within the palace security forces after the Leroy-Fleurival murders.

*Question 5.* Of the members of the President's security forces implicated in the murders of Leroy and Fleurival, were any dismissed, prosecuted or convicted? Which ones? For those security officers that were dismissed on otherwise disciplined for their involvement in these murders, did they receive a severance package worth several months of their salary? Were any of these suspects later placed back on the government payroll?

Answer. At the time I left the Haiti Coordinator position on July 21, 1997, the Palace Security Unit (PSU) Director Moise, his Deputy and a number PSU agents who had been at the scene of the murder had been suspended from the unit. No PSU official had been prosecuted or convicted. An arrest warrant had been issued for an alleged shooter, Eddy Arbrouet, who was not a PSU member. At the time I left in July, 1997, the government had begun to discuss, but had not yet implemented a severance package for officials to be separated permanently from the PSU. I have no knowledge if any of them received government payments subsequent to receiving severance payments.

The Department would be pleased to brief the Senator on subsequent developments.



## THREAT TO PRESIDENT PREVAL'S LIFE

*Question 1.* Did you fear President Preval's life would be threatened by some members of his security forces if he took steps to remove and prosecute those officers implicated in political assassinations?

Answer. I was concerned that the security arrangements for protecting the President could be disrupted in an unpredictable fashion if President Preval removed the Director and Deputy Director of the Palace Security Unit, as we were urging. For that reason, we sent in the enhanced protective unit in September, 1996, to assure that there would be adequate security at the time President Preval made these changes and until the Palace Security Unit was reorganized.

*Question 2.* Was President Preval hesitant to remove and prosecute members of his security unit suspected of involvement in the Leroy-Fleurival murders? Why was he hesitant? Did he fear his life might be in jeopardy from his own bodyguards?

Answer. Yes, President Preval was hesitant to remove and prosecute members of his security unit suspected of involvement in the Leroy-Fleurival murders. President Preval did not specify precisely why he was hesitant, as best I can recall, but did suggest the need for great care in moving in this security area. He took great comfort at the return of Jim McWhirter as chief of the Palace Security Advisory Unit while he removed the Palace Security Unit leadership and professionalized the unit.

*Question 3.* Was the detachment of U.S. security personnel to Haiti after the Leroy-Fleurival murders to protect President Preval as he dismissed some members of his security forces?

Answer. Yes, U.S. security personnel helped protect President Preval and supervise his security detail as he removed the Director and Deputy Director of the Palace Security Unit (PSU). U.S. security personnel also oversaw the professionalization and the retraining of the PSU and the recruitment of new PSU members.

*Question 4.* Would Preval have dismissed members of his security forces without the presence of U.S. security personnel to protect him?

Answer. I do not know the answer to what would have happened had we not made U.S. security personnel available. But, I do believe that the provision of such security personnel made it more possible for President Preval to act and to remove the Director and Deputy Director of the Palace Security Unit soon after the U.S. security personnel's arrival.

---

RESPONSES OF AMBASSADOR-DESIGNATE JOSEPH SULLIVAN TO QUESTIONS ASKED BY  
SENATOR ASHCROFT

*Question 1.* While there is evidence that both sides are obstructing the peace process in Angola, delays in the peace process have been met with repeated UN sanctions on UNITA.

Do you think pressure on UNITA alone has been one-sided?

Has the MPLA government given UNITA a real stake in the government of national unity?

How serious is the threat that Angola will return to war?

What steps will you take as Ambassador to encourage BOTH sides to implement a sustainable settlement? When will the administration push for elections and what are our expectations for drafting a new constitution?

Answer. The Administration has been even-handed in implementing the Lusaka Protocol, seeking to ensure that both sides live up to their commitments in helping to end Angola's long-running civil war. The reason that UNITA has been the subject of a series of sanctions resolutions by the United Nations Security Council is that at various points in the process, it has failed to meet its obligations. Prior to the imposition of the latest set of sanctions on July 1, for example, UNITA had set—and then missed—five deadlines for turning over to government control four key towns that continue to remain under its control. We, and the Special Representative of the UN Secretary General, also have frequently pressed the MPLA government to cease behavior not consistent with the reconciliation goals of the Lusaka Protocol. The reason the UN has not imposed equivalent sanctions on the government is that the government has largely fulfilled its Lusaka obligations and has been responsive to urgings of the UN and the Troika to modify its behavior.

UNITA's role in the Government of National Unity was set by the terms agreed to in the Lusaka Protocol. The agreement was very specific in laying out the positions to which UNITA officials would be entitled, and included four Ministerial port-

folios, seven Vice Ministerial positions, three provincial governorships, and over one hundred positions at the municipal and local level. The biggest challenge in making this government of national unity work effectively is the deep mistrust that divides government and UNITA leaders. Indeed, achieving lasting reconciliation will involve a long and painstaking process. As tensions have increased over the last two months, we have urged the government repeatedly not to express its frustration with UNITA by expelling UNITA members of the unity government.

We remain deeply concerned by the deterioration in the security situation in Angola over the past several months and have urged both UNITA and the Government not to provoke a return to civil conflict. Nonetheless, UNITA attacks in northeast and central Angola, the mobilization of forces by both sides, and forced conscription has increased. At the same time, both sides proclaim their adherence to the Lusaka Protocol and their opposition to renewed conflict. We remain hopeful that the government and UNITA will heed the appeals of the international community to get the peace process back on track.

As Ambassador, I would seek to stress to both sides the clear benefits for themselves and the Angolan people of completing the Lusaka peace process, and engaging seriously in the essential task of democratic reconciliation. I would also stress the enormous disadvantages of any other course. I would plan to work closely with the United Nations mediator and with our Troika partners to find creative ways to push the peace process forward. I would seek new ways to ensure that the return of areas to government control is accomplished in a manner that promotes reconciliation and constructive dialogue at the local level.

The administration will work with the United Nations, the Troika, and the Angolan parties to encourage that legislative elections be held at the earliest occasion when they can contribute to the consolidation of the peace process. The existence of a conducive political environment, and agreement of both UNITA and the government, will be critical to holding a second round of presidential elections. The National Assembly has begun the important task of beginning to draft a new constitution. We believe this is a positive step, especially if the multi-party drafting committee can find a way to work together constructively.

---

UNITED STATES DEPARTMENT OF STATE,  
WASHINGTON, D.C. 20520,  
*July 29, 1998.*

THE HON. JESSE HELMS,  
CHAIRMAN,  
COMMITTEE ON FOREIGN RELATIONS,  
UNITED STATES SENATE.

DEAR MR. CHAIRMAN:

Following the July 23, 1998 nomination hearing at which Ambassador-Designate George Staples testified, additional questions were submitted for the record. Please find enclosed the responses to those questions.

If we can be of further assistance to you, please do not hesitate to contact us.

Sincerely,

BARBARA LARKIN,  
ASSISTANT SECRETARY,  
LEGISLATIVE AFFAIRS.

Enclosures: As stated.

RESPONSES OF AMBASSADOR-DESIGNATE GEORGE STAPLES TO WRITTEN QUESTIONS

*Question 1.* An estimated 500,000–1 million died during the Rwandan genocide in 1994. What triggered the 1994 genocide? Are the leaders of the genocide in custody? Are governments cooperating in extraditing these individuals? Row many, if any, suspects of genocide crimes are currently in the United States?

Answer. In 1990 civil war broke out in Rwanda between the ruling government and the Rwanda Patriotic Front (RPF), rebel movement. Peace talks were initiated and a power-sharing agreement was brokered in Arusha, Tanzania in 1993. Despite some problems with implementation, this agreement, known as the Arusha Peace Accords, generally held until April 1994 when the plane carrying the Rwandan and Burundian presidents was shot down. Although the downing of the plane was the catalyst which ignited the genocide, we now know that these killings were planned well in advance.

The U.N. Security Council established the International Criminal Tribunal for Rwanda (ICTR) to prosecute those responsible for genocide and other violations of humanitarian law in Rwanda. Currently the tribunal has 31 suspects in custody, including many of the most senior and most culpable leaders of the genocide. The Tribunal has recently achieved a remarkable accomplishment by obtaining the confession of the former Prime Minister of Rwanda. The Tribunal expects that the former Prime Minister's testimony will be helpful in obtaining convictions of other senior leaders.

Cooperation with foreign governments has improved since the Tribunal's inception, and is now quite good. Suspects have been transferred from several African countries and the Tribunal's investigations continue.

There is one suspect indicted by the Tribunal in the United States. That suspect, Elizphan Ntakirutimana, was arrested in Texas by the FBI. His surrender to the Tribunal is currently under review by a U.S. District Court judge.

*Question 2.* By some estimates 2 million people, including leaders of the 1994 genocide fled to neighboring countries. Almost all of these refugees returned in late 1996–early 1997. Some observers have argued that the leaders of the genocide used the refugee camps as a training ground for attacks on the survivors of genocide. Do you agree with this assessment?

Answer. Yes, I agree that in many instances the real humanitarian purpose of refugee camps was subverted. It is clear that many of those guilty of having engineered and participated in the genocide were able to recreate leadership structures in the refugee camps and that these structures preached messages of hate and revenge. Through intimidation and violence these individuals often gained control over the supply of food and other humanitarian relief.

The international community failed to respond in an effective manner to the militarization of the camps. The office of the UN High Commissioner on Refugees (UNHCR) requested assistance from the international community to help separate armed elements from legitimate refugees; but this call went unanswered. The United States responded by funding a force made up largely of Zairians that was effective in the keeping of day-to-day order but not effective in preventing these armed elements from launching cross-border attacks against Rwanda.

In the aftermath of the Rwandan experience, the international community has taken a hard look at refugee camp militarization. The U.S. will be shepherding a Security Council working group on refugee camp security and neutrality to ensure that what happened in Rwanda/Zaire is not repeated.

*Question 3.* Animosity and mistrust between the Tutsi and Hutu are major sources of conflict in Rwanda. What is being done to address this problem? Are you satisfied with the government's reconciliation efforts? What can the United States do to help?

Answer. Ethnic enmity has contributed to conflict in Rwanda in the past. One of the first things that the new government of national unity did upon coming to power was abolish the old colonial identification cards which branded individuals as Hutu or Tutsi. Now all Rwandans have national identification cards which simply list them as Rwandan. Other government programs designed to build a sense of national identity include town hall meetings and public education campaigns. In accordance with the Arusha peace agreement, the government has also recently established a National Commission on Reconciliation.

Overall, the government of Rwanda has made significant progress in advancing national reconciliation. However, there is still work to be done. We are currently complementing the government's efforts through VOA programming in the region. We also plan to assist in a targeted public education campaign in the northwest where ethnic tensions are the most palpable.

*Question 4.* In early April 1994, Presidents Juvenal Habyarimana of Rwanda and Cyprien Ntaryamira of Burundi, both Hutus, were killed when their plane was shot down as it approached Kigali, the capital of Rwanda. Who shot down the plane? Why?

Answer. There has never been a definitive investigation into the downing of the aircraft. The downing of the plane was a tragic event that proved to be the spark which ignited the 1994 genocide. We do not know who shot down the plane or what their motives were. Some have speculated that the plane was downed by hard-line Hutus who were unhappy with the concessions made by Habyarimana during the Arusha peace talks. Another theory has it that extremist Tutsis, who also wanted to scuttle the Arusha agreements were behind the crash. Recently, there were reports in the French press alleging that the missile bore markings from the U.S. and that we had passed it to the Ugandans following the gulf war. We can state, however, that the French press reports are false and that the United States government was in no way involved.

*Question 5.* With the return of over one million refugees from Zaire and Tanzania, instability has increased in parts of Rwanda. How would you describe the security situation in Rwanda? What is the government doing to end the violence in the northwest part of the country? Who is behind these attacks? Do they have outside support?

Answer. The security situation throughout most of Rwanda is good. However, insurgents continue to launch destabilizing attacks in the northwest. The insurgents generally attack "soft" civilian targets such as buses, taxis, hospitals, and refugee camps. In a particularly heinous attack only a few weeks ago, the insurgents targeted a school bus killing several children.

The insurgency is composed of members of the former Rwandan army—the ex-FAR, and the genocidal militia—the Interahamwe. The rebels lack an articulated political platform and do not have a clear command and control structure. We do not know the extent of any outside support being provided to the rebels.

Our concern over the insurgency led us to urge the Security Council to reestablish the U.N. Arms Flow Commission. This commission is charged with investigating the flow of arms and ammunition in the region and is scheduled to report its findings to the U.N. Security Council in November. During his March trip to Africa, President Clinton and regional African leaders also pledged to establish an International Coalition against Genocide in the Great Lakes. Through this coalition, governments will cooperate to stem the flow of arms and monies to extremists and will also coordinate efforts to bring suspected war criminals to justice.

The government of Rwanda addresses the security problems in the northwest through both political and military means. Senior members of the government travel to the northwest regularly to hold town meetings with the villagers. Their message

is one of peace and reconciliation. The Rwandan Patriotic Army (RPA) is mobilized to respond to individual attacks. In responding to the insurgency, the RPA has at times used excessive and indiscriminate use of force. We will continue to stress the sanctity of non-combatants in our discussions with the government.

*Question 6.* Inadequate housing has emerged as a major economic and political problem for the government. What is the United States doing to address this problem?

Answer. When the government of national unity assumed power in 1994, millions of Tutsis who had been exiled since 1959 were once again able to return to their homeland. An estimated 2 million of these individuals, referred to as "old caseload" refugees returned. In late 1996, early 1997 with the breakup of the refugee camps another million or so "new caseload" refugees returned. As a result, for the first time since independence, most Rwandans are at home.

This phenomenon while positive for national reconciliation has placed enormous economic pressures on the government to provide adequate housing, schooling, health care, etc. The United States has played a significant role in housing construction in Rwanda via the efforts of our AID mission and our bureau of Population Refugees and Migration..

On the political side, many of the old caseload were squatting in the homes of the new caseload from 1994-1996. The government pledged to return these homes to their rightful owners upon their repatriation to Rwanda. This has been happening gradually and we will continue to encourage the government in this effort.

*Question 7.* In July 1998, the U.N. released a report substantiating claims that the current Rwandan government participated in the massacres of Hutu refugees in the former Zaire. The Rwandan government rejected the study as biased and incomplete, claiming the investigators only interviewed anti-government Hutu extremists. Do you agree with the conclusions of the report? Do you share Rwanda's view that the report is incomplete? What next steps do you expect from the United Nations? What measures, if any, will the United States government take?

Answer. The U.N. Investigative team outlined clearly the limitations of their report and the circumstances which prevented them from a more complete investigation. The team stated that many of the allegations of serious violations of human rights and international humanitarian law remain unconfirmed, but that they were able to confirm that serious violations did occur in eastern Congo, including attacks by the ADFL and Rwandan army on refugee camps.

The U.S. government agrees that the report is incomplete and that additional investigation is necessary. The U.S. strongly supported the unanimous Security Council presidential statement issued on July 14 condemning these grave violations of human rights and humanitarian law and calling on the governments of the DROC and Rwanda to bring the perpetrators to justice. The council requested that the two governments provide a progress report on their action by October 15. The council warned of its readiness to take further steps as necessary to ensure that those responsible for human rights violations are held responsible. Both governments have pledged to comply with the Security Council's recommendations in a constructive and cooperative manner.

*Question 8.* Please comment on the work of the Rwanda genocide tribunal in Arusha, Tanzania. How well or poorly are foreign governments cooperating with the tribunal? What assistance is the United States providing to the tribunal?

Answer. After a difficult beginning, the International Criminal Tribunal for Rwanda (ICTR) is making significant headway. The ICTR now has 31 people in custody, including several of those considered most culpable in the 1994 genocide such as former Primer Minister Kambanda and former military leader Bagasora.

Other governments are cooperating well with the ICTR. Several African countries (Mali, Benin, Togo, and Cote d'Ivoire) recently cooperated with the Tribunal in the arrest of four suspects in a six-day period in June 1998.

There is still work to be done, however. We have concerns about the administration of the Tribunal. Specific areas of improvement as noted in a recent report by the U.N. office of Internal Oversight Services include the witness protection unit and the registrar's office.

The United States provides considerable diplomatic and material support for the work of the ICTR. Total U.S. financial support, including the value of voluntary contributions, has totaled more than \$46 million.

*Question 9.* The Clinton Administration has requested \$7.5 million in development aid for Rwanda in FY 1998. How does our effort compare with aid being given by other countries? Are donor governments providing enough to give Rwanda some hope of economic recovery in the near future?

Answer. The United States government provides roughly 15 percent of the bilateral development aid being received by Rwanda. In addition, we are assisting Rwanda through multilateral fora such as the World Bank and IMF.

Rwanda has made substantial progress in rebuilding its severely damaged economic infrastructure. Real GDP growth for 1997 was estimated at 11 percent. Just last month, Rwanda signed an Enhanced Structural Adjustment Facility with the IMF. This month, the Paris Club agreed to reduce Rwanda's debt by 67 percent.

We and other donors will continue to support these broad macroeconomic efforts. We also hope to provide additional bilateral support through the President's Great Lakes Justice and Education Initiatives.

*Question 10.* In March 1998, President Clinton met with survivors of genocide in Kigali and publicly apologized for inaction on the part of the U.S. and the international community, claiming that the U.S. was not aware of the gravity of the situation during the genocide. Do you support calls for an investigation into the role of the United States and the United Nations? If so, who should conduct the investigation? A congressional committee? An independent commission?

Answer. The U.S. and the U.N. have both conducted "lessons learned" exercises following the failure of the international community to prevent or stop the genocide in Rwanda in 1994. Much of the historical record has been clarified, with enough blame to go around. Through speeches made by both Secretary Albright and President Clinton, the United States has acknowledged its shared responsibility. In the near future, the Organization for African Unity (OAU) also plans to examine the role of the international community in the 1994 genocide. The OAU has composed a panel of distinguished individuals to carry out this review.

I do not believe that we need further investigation beyond those initiatives outlined above. Further studies might help elaborate what went wrong, but our energies would be better focused on how to prevent another such tragedy in the future.

*Question 11.* Secretary of State Madeleine Albright announced in March that the U.S. government will undertake a Great Lakes Justice Initiative in Central Africa, and President Clinton pledged \$2 million to the Rwanda Genocide Survivors Fund. What is the current status of these initiatives? Do we have plans for additional support?

Answer. The Great Lakes Justice Initiative was part of the Administration's FY 99 budget request. We have already consulted with governments in the region and plan to build a program which will strengthen national judiciaries and instill a greater respect for human rights and the rule of law.

By the end of this fiscal year, we will provide our \$2 million contribution to the Genocide Survivor's Fund. This fund is managed by the government of Rwanda and it is used for a number of activities. Some examples of the fund's use include the provision of prosthetics for the maimed, microenterprise loans for genocide widows, and school uniforms for orphans.

We plan to increase our direct development assistance to 11.4 million in FY 99. We also hope to provide additional help to Rwanda through the President's Education initiative.

*Question 12.* Commander of UNAMIR, Canadian Major General Romeo Dallaire in February 1998 testified that if the U.N. had given UNAMIR sufficient troops and the authority to pursue those organizing the genocide, the tragedy could have been halted. Do you agree with his assessment? If so, should the United Nations take full responsibility for its inaction? Is Annan at fault for rejecting Dallaire's request to disarm the extremists?

Answer. It is very difficult to judge in hindsight whether General Dallaire's assessment that additional troops could have halted the genocide is correct. No one comprehended the scale of the slaughter at the time, and even now there are no accurate numbers on how many people were killed.

General Dallaire made recommendations to the UN headquarters in New York which were reviewed by a number of people including Kofi Annan who was then Under-Secretary General for Peacekeeping and then-Secretary General Boutros Ghali. The Security Council did not authorize a more robust mandate or troop strength for UNAMIR prior to April 1994, and it unanimously approved the withdrawal of the UN troops after the Belgian peace keepers were killed in the early days of the genocide. The Council authorized additional troops for UNAMIR in May 1994, but by then the genocide had already claimed hundreds of thousands of lives.

*Question 13.* The French weekly *Le Journal du Dimanche* has reported that U.N. headquarters had authorized Dallaire to pass on a fax to French, Belgian and U.S. embassies in which advance warning of the preparations for the genocide were disclosed. The United Nations rejected Dallaire's request to disarm the extremists. Did the U.S. Embassy receive the reported fax? If so, what measures were taken by the

U.S. government as a result of the advance warning? What did the U.S. government know of Hutu plans to incite violence in January of 1994?

Answer. General Dallaire briefed the U.S., French, and Belgian ambassadors in January 1994 about the report he had received on Hutu extremist arms caches and an assassination plan. We have no record that he actually gave us a copy of his faxed report to UN headquarters. At the time, there were numerous rumors of assassination plots and conspiracies. The political environment was volatile: new government structures were being put into place per the Arusha accords.

Unfortunately in this charged atmosphere of disinformation and suspicion, no one recognized the import of this particular report of extremist activity. In January 1994, our efforts were still concentrated on consolidating the Arusha peace accords. We did not know then of plans for widespread ethnic killings.

---

RESPONSES OF AMBASSADOR-DESIGNATE GEORGE STAPLES TO QUESTIONS ASKED BY  
SENATOR FEINGOLD

*Question 1.* Now that the UN Human Rights Field Operation in Kigali is being closed, how will the Embassy follow human rights developments in the country, especially in the areas of combat? In particular, how actively would you envision the Embassy following events in the northwest?

Answer. We regret that the government of Rwanda and the Office of the U.N. High Commissioner for Human Rights (UNHCR) were unable to reach agreement on a new mandate for the human rights field office. We believe that the UN field office played an important role in ensuring the protection of human rights in Rwanda and in advancing national reconciliation.

It is extremely difficult to monitor human rights in zones where there is active fighting. As proof of this, in 1997, five UN Human rights monitors were ambushed and killed by insurgents. Following their tragic deaths, the U.N. determined that it was too dangerous to keep its personnel permanently stationed in the Northwest and issued a series of regulations regarding future travel to the area.

Human rights is a key issue in our bilateral relationship with the government of Rwanda. The embassy draws on a variety of sources—local NGO's, private American citizens, other diplomatic contacts, to keep informed of human rights developments. Our defense attache travels to the Northwest periodically. Recently our Food for Peace officer has taken several trips to the region to deliver food aid. This fall we will be adding an additional political officer to the embassy who will have substantial human rights responsibilities.

Currently, our Ambassador in Rwanda reviews each instance of Embassy staff travel to the Northwest on a case-by-case basis. Travel is approved provided there is a serious need and the government of Rwanda is able to provide a military escort. While it is important to have first-hand information on the Northwest, this need must be balanced against the real security risks posed to our personnel.

In our bilateral relationship with the government of Rwanda, we will continue to stress the importance of respect for human rights in general, and the sanctity of non-combatants in particular. We will also encourage the government of Rwanda to ensure that its newly formed National Human Rights Commission evolves into an independent body, responsive to the human rights challenges facing Rwanda.

*Question 2.* The U.N. Security Council has given the Rwandan and Congolese governments three months to investigate members of their militaries who may be implicated in the massacres of Hutu refugees in Congo. What can or should the US do to effectively pressure the Rwandan government to follow through on its responsibility to investigate those responsible?

If the Rwandans do not comply, what next steps would you recommend to determine responsibility for the massacres?

Answer. The U.S. condemns the serious violations of human rights and international humanitarian law committed by all parties in Zaire/Democratic Republic of the Congo (DROC).

We strongly endorse the balanced UN Security Council presidential statement which inter alia, calls upon the governments of Rwanda and DROC to investigate the report's allegations and to hold all responsible parties accountable.

On July 24, the Government of Rwanda issued a press release taking note of the Security Council's recommendations and pledging to examine the mechanisms for their execution in a positive and cooperative spirit. We have already communicated the importance that the USG attaches to this issue to the Government of Rwanda.

In keeping with the spirit of the presidential statement, we have also informed both governments of our willingness to assist them in complying with the Council's recommendations. A senior Department official plans to consult with the Rwandan government in Kigali on this issue in September.

The Security Council has left open the options which will be considered in the event that the governments of Rwanda and DROC do not comply with the recommendations.

*Question 3.* There has been much discussion of a new generation of leaders in Africa. How would you describe these new leaders, and where would you situate Vice president Kagame among them?

Answer. In the early 1990's following the fall of communism, a wave of democratic sentiment swept across Africa leading to unprecedented national conferences and broad-based dialogue. In some African countries, this initial breakthrough was strengthened and consolidated; while in others progress was thwarted. In Africa, as elsewhere around the world, the United States encourages leaders to be accountable to the people they govern, to have sensible economic policies, and to promote civil liberties and respect for human rights.

Vice President Kagame is generally considered to be one of the most decisive and intelligent of Africa's younger leaders. We have found him to be a serious, responsible leader who is intent on rebuilding his country and who would like to do so in close cooperation with the United States.

The Rwandan leadership has achieved significant progress in bringing Rwanda back from utter disaster. The refugees are home, social services function, and the government has begun looking for ways to increase political participation. However, there are still many challenges ahead.

The Arusha Peace Agreement accorded the Government of National Unity a five-year mandate. We hope to work with the government, civil society, and others as Rwanda takes the next steps in its transition process.

*Question 4.* There are continuing concerns about the lack of due process in the Rwandan judicial system, in particular but not limited to the Rwandan national genocide trials. The United States has launched the Great Lakes Justice Initiative in part to deal with this issue. Please comment on this initiative and on how you see your role in continuing to press for improved standards of justice?

Answer. Impunity has been one of the key underlying causes to the cycles of violence which have plagued Rwanda and the Great Lakes region as a whole. The question of due process in Rwanda is a very complex issue. Clearly, the survivors of genocide have a right to justice. Those guilty of having perpetrated such unimaginable crimes simply must be held accountable.

At the same time it is equally important not to ascribe "group guilt" to an entire section of the population. The accused deserve to know the nature of the charges against them, to have access to legal counsel, and to receive a fair and impartial trial.

We launched the Great Lakes Justice Initiative in response to these formidable, but not unsurmountable challenges. Through the initiative we will help build strong, independent, national judiciaries in the region. The initiative will include training for local lawyers, police, and judges. It will also have a significant public outreach and education component.

If confirmed, I will continue to discuss with the government ways to improve the standards of justice in Rwanda. I will also build upon the good work already being done in the justice sector by our USAID mission and seek rapid implementation of our new Great Lakes Justice initiative.

*Question 5.* To what degree do you feel that the International Criminal Tribunal for Rwanda and the national trials have had an impact on violence in Rwanda?

Answer. We believe that the International Criminal Tribunal for Rwanda (ICTR) and the national trials have had a positive impact in deterring violence in Rwanda. The rule of law and the existence of effective, fair legal institutions is not only a fundamental right but a necessary requirement for sustainable peace. The cycles of violence in Rwanda will not be broken until the reign of impunity is ended. The ICTR and the national trials have been important in creating the conditions for peace in Rwanda.

We are pleased that the USG is financing radio and TV coverage of the ICTR's proceedings in Arusha, Tanzania to the population in Rwanda. It is important not only that justice be done, but that justice be visible to those most affected.

National trials continue in Rwanda and have improved markedly as the government has begun rebuilding its technical and human capacity in the judicial sector.



We hope to increase our assistance to the Rwandan judiciary through the new Great Lakes Justice Initiative.

---

UNITED STATES DEPARTMENT OF STATE,  
WASHINGTON, D.C. 20520,  
*July 29, 1998.*

THE HON. JESSE HELMS,  
CHAIRMAN,  
COMMITTEE ON FOREIGN RELATIONS,  
UNITED STATES SENATE.

DEAR MR. CHAIRMAN:

Following the July 23, 1998 nomination hearing at which Ambassador-Designate Kathryn D. Robinson testified, additional questions were submitted for the record. Please find enclosed the responses to those questions.

If we can be of further assistance to you, please do not hesitate to contact us.

Sincerely,

BARBARA LARKIN,  
ASSISTANT SECRETARY,  
LEGISLATIVE AFFAIRS.

Enclosures: As stated.

RESPONSES OF AMBASSADOR-DESIGNATE KATHRYN DEE ROBINSON TO WRITTEN  
QUESTIONS

*Question 1.* Ghana is aiming at a GDP growth rate above 5% in 1998 and at even higher rates in future years. In your view are such rates achievable? What are the principal obstacles to more rapid growth in Ghana?

Answer. These growth rates are achievable if Ghana takes the necessary steps to deal with its energy crisis, continues to address its difficult macroeconomic situation, and continues to implement policies that will make Ghanaian companies competitive in international markets.

Principal obstacles to growth include large government budget deficits, high inflation, tight credit, and high interest rates. In addition, an energy crisis that grew out of long term mismanagement of Ghana's energy sector, combined with a long-term drought that reduced Ghana's hydroelectric capacity, has temporarily dampened Ghana's economic productivity. Ghana also needs to create a more favorable environment to attract significant private investment, including the development of transparent and effective regulatory and legal frameworks.

*Question 2.* What opportunities has Ghana's expanding market provided for U.S. business? What sectors of the economy are most attractive for additional U.S. investment? What steps have been taken by the Department of State, the Department of Commerce, and the U.S. Agency for International Development to strengthen U.S. economic relations with Ghana?

Answer. Ghana's expanding market contains significant opportunities for U.S. business in the areas of heavy equipment, vehicles, generators and other energy production equipment, food processing equipment, agricultural products, building materials and wood products, oil services and supply. Construction, energy production, and food processing are particularly active sectors. In addition, there are opportunities for U.S. business in the areas of tourism, banking, and financial services.

The Departments of State and Commerce have encouraged Ghana through dialogue to undertake market reforms leading to an expansion of the private sector, and to develop regulatory and legal frameworks that encourage private investment. They have also urged Ghana to open up and expand its energy sector, utilizing private sector resources. The Embassy has encouraged the establishment and progress of the American Chamber of Commerce in Accra. Commerce has supported exhibits of U.S. products at numerous trade fairs in Ghana. USAID has encouraged new and better ways of doing business, promoted market-led investments in private enterprises, stimulated innovation in support services, and urged the Government to withdraw from businesses and services that can be better operated by the private sector.

*Question 3.* Ghana has recently been affected by drought. What have been the consequences of the drought for agriculture and power production.

Answer. A prolonged drought has affected crops in Ghana's three northern regions. Early millet crops were especially hard hit, yielding only 18,000 metric tons versus a consumption need of 50,000 metric tons. Maize was also badly affected, yielding only 1300 metric tons, versus a consumption need of 34,000 metric tons. High temperatures associated with the drought have also contributed to epidemics of yellow fever and meningitis in the three northern regions.

The drought severely inhibited the ability of Ghana's principal hydroelectric facility, the Akosombo Dam, to produce power. At present, the facility is producing only about 60 percent of its normal average output. Because of the crisis, energy supplies to manufacturers, mines, and other consumers have been reduced by as much as 70 percent for limited periods of time. Ghana is attempting to improve the energy situation by adding thermal capacity preparing higher rates for electricity to reduce demand.

*Question 4.* How is Ghana dealing with the problems of inflation and high unemployment?

Answer. Ghana is attempting to stem high levels of inflation by taking greater care to monitor government expenditures; by instituting more restrictive measures for government borrowing, particularly on loans from the Bank of Ghana; and by revising the manner in which the budget is formulated. Formerly, the "narrow" budget did not include capital projects jointly financed by the government and donor project aid. This contributed to the government's deficit.

The major thrust of the Ghanaian effort to alleviate high unemployment has been to improve the enabling environment that will provide for a market-driven expansion of the private sector, thereby creating more jobs in all sectors. Studies show that the growth in non-traditional exports since 1991 has created some 50,000 new jobs in that sector, and has also produced numerous additional indirect employment growth.

*Question 5.* Ghana is one of the leading sub-Saharan recipients of U.S. aid, and the Administration is requesting \$36.5 million in development assistance for Ghana in FY 1999. Please outline our aid program in Ghana. What are its principal objectives? What successes can you point to?

Answer. USAID's strategy aims to support Ghana's goal of achieving middle-income status within 25 years by promoting broad-based sustainable economic growth. USAID's principal strategic goals are as follows:

- increase private sector growth;
- increase the effectiveness of the primary education system;
- improve family health through family planning, AIDS/HIV prevention, and child survival interventions, and;
- enhance civic participation and accountable governance.

USAID programs to boost non-traditional exports in horticulture, handicrafts, processed foods, and textiles have helped these sectors grow from \$68 million in exports in 1992 to \$300 million in 1997. Tourism, also a USAID-assisted sector, has grown from \$237 million in 1992 to \$300 million in 1997 and is now Ghana's fourth largest foreign exchange earner. The growth in non-traditional export earnings has generated significant increases in employment and incomes, especially for women. USAID's education programs have provided training in improved teaching delivery methods to 84% of Ghana's primary school teachers. Books have been provided to 71% of all primary school children. Ghana's family health programs have helped lower fertility rates to 5.2% in 1997 from 6.4% in 1988. Contraceptive use is up 46% since 1995. HIV awareness has reached 95% of the population. USAID's programs in democracy and governance have contributed to the modernization of Ghana's electoral registers, with the registration of over 95% of eligible voters.

*Question 6.* Please discuss the prospects for the gold mining industry in Ghana. Some environmentalists have been concerned about the consequences of gold mining for Ghana's forest reserves. Are such concerns justified? What steps have been taken by the Ghana government to deal with such concerns?

Answer. Ghana's mining policies as stipulated by the 1986 Minerals and Mining Law have increased prospects for the mining industry in general and for gold mining in particular. The policies have brought about sustained private sector-led growth in the production and export of minerals, especially gold. Earnings from minerals have risen from \$124.4 million in 1986 to about \$641.3 million in 1996, representing an increase of over 400% in one decade. The mining sector continues to dominate merchandise exports, contributing about 45% of export earnings and providing employment to over 50,000 people. Gold alone counts for over 85% of mineral exports. As a result of a recent decline in gold prices, total exports have also

declined. In spite of this, it is expected gold will continue to be an export leader as more efficient mining technologies are brought on stream.

The concerns of environmentalists and others about the consequences of gold mining for Ghana's forest reserves are justified. For many years, the impact of mining was ignored and land was degraded or deforested. More recently, Ghana's Environmental Protection Agency and other GOG entities have promulgated regulations that require mining companies to carry out environmental impact assessments and to put in place plans for monitoring, evaluating, and mitigating negative environmental impacts of mining. Environmental offenses have been made criminal offenses with strict penalties, including prison terms.

According to the World Bank, in recent years large scale mining operations have generally adhered to internationally accepted environmental practices and adopted improved technologies to minimize environmental damage. Small scale mining, much of it illegal, continues to create damage. There is active collaboration between District Assemblies and Ghanaian security services to arrest and prosecute illegal operators.

*Question 7.* Ghana is home to Ashanti Goldfields Corporation, Ltd., a successful African multinational and the only one listed on the New York stock exchange. What are the sources of this company's success? To what degree can it serve as a model for private companies elsewhere in Africa?

Answer. The sources of this company's success lie in their access to extremely valuable resources, high-level political support for their operations, and a talented and experienced management team. Ashanti Goldfields' leadership have long experience in the mining field and their staff are well trained. Ashanti Goldfields operates in fair competition with foreign rivals and yet manages to generate considerable wealth, which it effectively reinvests. The company has also learned through time to work with Ghana's bloated and often inefficient bureaucracy. Recognizing that the company is an important employer and revenue earner, the Ghanaian government is supportive of most of the company's initiatives.

*Question 8.* Why did President Clinton make Ghana his first stop on his March-April 1998 Africa journey? How would you characterize President Clinton's discussions with President Rawlings? What was agreed?

Answer. President Clinton made Ghana the first stop on his African journey to underline our increasingly close bilateral relationship. This relationship is based, in part, on Ghana's progress in recent years in developing democratic institutions and improving its human rights record. Our close relationship with Ghana is also based on growing bilateral commercial ties and on cooperation in the peacekeeping arena. Ghana's decision to join the African Crisis Response Initiative is an important step forward for this initiative, given the strong reputation of Ghana's peacekeeping forces. Lastly, the President's visit underlined the strong emotive ties that bind Ghana and the U.S., built by long years of Peace Corps activity, cultural and scientific exchanges, and by the fact that many AfroAmericans can trace their origins to Ghana.

President Clinton's discussions with President Rawlings were cordial and covered considerable ground. During the meeting, President Rawlings signaled his intention to abide by constitutional strictures and not run for a third term. Touching on Ghana's ongoing energy crisis, President Clinton indicated the U.S. was prepared to examine ways to assist Ghana with its energy problems. As a result, loan guarantees were provided for the construction of two U.S. origin power barges and an energy assessment team composed of energy experts from USAID, the Departments of Energy and Transportation, and the Trade Development Agency has visited Ghana to provide advice.

*Question 9.* In your estimation, how secure is Ghana's democracy? How high is the risk of another coup?

Answer. Support for democracy in Ghana is widespread. It is backed by the government, the leading opposition parties, the military, and leading sectors of the civil society. The public at large regularly express their support for democracy and have eagerly participated in 1992 and 1996 elections. Similarly, Ghana's thriving independent press is almost universally supportive of democratic ideals. The U.S. Embassy's view is that democracy is here to stay. To prevent backsliding, the Embassy regularly engages the Government, parliament, political parties, the military, and other leading institutions on democracy issues.

The risk of another coup is low. Embassy and other USG officials meet frequently with members of Ghana's military and political parties and report that virtually all interlocutors regret Ghana's past tendency to resort to coups and express a determination that this will not happen again. The Ghanaian military appears genuinely supportive of the Constitution and determined to play a subordinate role in the political process.

*Question 10.* President Rawlings is prevented by the Constitution from running for a third term in 2000, and he has endorsed Vice President J.E.A. Mills, a tax law professor, to succeed him. What is your assessment of Professor Mills? What policies would you expect him to pursue, if elected? How do you rate the chances of the opposition in 2000?

Answer. The Constitution forbids Rawlings from running for a third term in 2000 and he has privately and publicly stated his intention not to do so. President Rawlings is viewed as sincere in his desire to be succeeded by Mills who is a respected, pro-democracy academic with a solid knowledge of free market economics. Mills suffers, perhaps, from a lack of charisma and limited political experience, but President Rawlings has sought opportunities to raise Mills' public profile. As an example, Mills was tasked to lead a high-level delegation to the U.S. in May to discuss Ghana's energy crisis and seek private investment. Mills is viewed by diplomats and knowledgeable Ghanaians as non-corrupt, hardworking, knowledgeable, and eager to work on building Ghana's economy and strengthening its democracy.

Although fairly new to the political scene, Mills has friends in opposition parties as well as in the ruling National Democratic Congress (NDC) party. He has drawn little criticism from any quarter on the conduct of his Vice Presidency. If nominated as the NDC's candidate, as he likely will be, Mills' chances of election are quite good. Ghana's opposition parties have no generally accepted flag bearer and suffer from divisiveness and the lack of a clearly articulated platform. In addition, the ruling NDC party has greater financial and logistic resources than the opposition and is better organized, particularly in rural areas. Opposition parties' chances of winning an election in 2000, including a free and fair one, appear slim at this time.

*Question 11.* There has been some press speculation that President Rawlings will himself run for the Vice Presidency in 2000 in an attempt to maintain a hold on power in Ghana. Would you advise him to pursue this course? Please explain.

Answer. It is true that there has been speculation that Rawlings might run for the Vice Presidency in 2000 in an attempt to maintain a hold on power, but he is unlikely to pursue such a course of action. I would certainly advise him against pursuing this course. Much of Rawlings' present popularity is directly linked to the public perception that Rawlings is sincere in his effort to build viable democratic institutions. An attempt by Rawlings to maneuver around Constitutional restrictions against running for a third term would be viewed negatively by the international community, by leading segments of Ghana's civil society, and by much of the public as an affront to the democratic values Rawlings has espoused. Rawlings' party, the National Democratic Congress (NDC), wants to use Rawlings' popularity to enhance party chances in the 2000 elections, but few party members truly are ready to see a third Rawlings candidacy. Leading members of the NDC believe they need to select a new flag bearer if their party is to have future credibility. A ticket with John Mills as Presidential candidate and a northerner for Vice President to provide ethnic balance is a possible scenario that many Ghanaians believe would be popular.

*Question 12.* On June 1, 1998, just before Nigerian military ruler Sani Abacha died; one of his top advisers accused Ghana of attempting to destabilize the Nigerian government. In your view, what did Nigeria mean by this accusation? What was Ghana's reaction?

Answer. The accusation appears to have been a misguided attempt by members of the Abacha regime to discredit a human rights seminar that took place on Ghanaian soil. There appears to be no substance to the accusation that Ghana was attempting to destabilize the Nigerian Government. The Ghanaian Government issued a statement denying the allegations and any role that Ghana was alleged to have played. We understand that two days after the accusation, the Nigerian Government sent an emissary to Ghana to apologize for the allegation and express regret over the incident. Nigeria's present leader, Abubakar, subsequently dismissed the official who had accused Ghana of seeking to destabilize the Nigerian Government, and relations between the two countries have been restored to their previous level.

*Question 13.* What consequences will Nigeria's current political instability have for Ghana?

Answer. Ghana will be required to keep a close eye on developments in Nigeria. An ever-present concern for Ghana is the potential impact on the region of an influx of refugees if Nigeria were to suffer serious civil disorder. Nigeria also has significant influence on Ghana's economy, providing one-third of Ghana's oil. A severe breakdown in Nigeria would have negative economic consequences for Ghana. Ghana will continue to work closely with Nigeria within the framework of ECOWAS, an organization to which the two countries are principal contributors and supporters. We anticipate that Ghana will continue to encourage moderation and stability in Nigeria and will not seek to take advantage of Nigeria's current fragile situation to strengthen its own role in the region.

*Question 14.* Military units from Ghana have recently received U.S. training under the Administration's Africa Crisis Response Initiative. What are the objectives of this initiative? Why was Ghana chosen as a participant? Please describe the training that took place in Ghana. Do you foresee additional training?

Answer. The objective of the Africa Crisis Response Initiative is to enhance African peacekeeping capacities, particularly with respect to the ability of African countries to respond quickly and effectively to humanitarian crises. The initiative aims to strengthen peacekeeping capabilities within selected African militaries through training, exercises, and the provision of limited amounts of nonlethal equipment, particularly communications equipment. ACRI-trained militaries will have the potential to draw from their forces elements that can be used in peacekeeping situations together with similarly-trained forces from other African nations. The focus is on harmonizing practices and enhancing interoperability. The Initiative does not, however, seek to create a standing African peacekeeping force.

Ghana was selected as a participant because it is a democratic state with a strong human rights record. In addition, Ghana's military has participated in over sixteen peacekeeping operations worldwide over the past three decades and enjoys a first-rate reputation for professionalism and competence.

The training that took place in Ghana in April-May 1998 emphasized basic soldier skills, communications skills, and small group peacekeeping skills.

There has been discussion about training a second Ghanaian battalion and a brigade-level command and control unit. The two sides are examining some of the issues related to such a decision.

#### RESPONSES OF AMBASSADOR-DESIGNATE KATHRYN DEE ROBINSON TO WRITTEN QUESTIONS

*Question 1.* Ghana is one of the leading recipients of U.S. aid in Africa, and the Administration is requesting \$36.5 million in development assistance for Ghana in FY 1999. Please outline the primary objectives of our aid program in Ghana. What are its principal objectives? What successes can you point to?

Answer. USAID's strategy aims to support Ghana's goal of achieving middle-income status within 25 years by promoting broad-based sustainable economic growth. USAID's principal strategic goals are as follows:

- increase private sector growth;
- increase the effectiveness of the primary education system;
- improve family health through family planning, AIDS/HIV prevention, and child survival interventions, and;
- enhance civic participation and accountable governance.

USAID programs to boost non-traditional exports in horticulture, handicrafts, processed foods, and textiles have helped these sectors grow from \$68 million in exports in 1992 to \$300 million in 1997. Tourism, also a USAID assisted sector, has grown from \$237 million in 1992 to \$300 million in 1997 and is now Ghana's fourth largest foreign exchange earner. The growth in non-traditional export earnings has generated significant increases in employment and incomes, especially for women. USAID's education programs have provided training in improved teaching delivery methods to 84% of Ghana's primary school teachers. Books have been provided to 71% of all primary school children. Ghana's family health programs have helped lower fertility rates to 5.2% in 1997 from 6.4% in 1988. Contraceptive use is up 46% since 1995. HIV awareness has reached 95% of the population. USAID's programs in democracy and governance have contributed to the modernization of Ghana's electoral registers, with the registration of over 95% of eligible voters.

*Question 2.* Ghana was President Clinton's first stop on his March-April Africa trip. What is the significance of this in terms of U.S.-Ghana relations? How would you characterize President Clinton's discussions with President Rawlings? Were any commitments made by either government?

Answer. President Clinton made Ghana the first stop on his African journey to underline our increasingly close bilateral relationship. This relationship is based, in part, on Ghana's progress in recent years in developing democratic institutions and improving its human rights record. Our close relationship with Ghana is also based on growing bilateral commercial ties and on cooperation in the peacekeeping arena. Ghana's decision to join the African Crisis Response Initiative is an important step forward for this initiative, given the strong reputation of Ghana's peacekeeping forces. Lastly, the President's visit underlined the strong emotive ties that bind

Ghana and the U.S., built by long years of Peace Corps activity, cultural and scientific exchanges, and by the fact that many AfroAmericans can trace their origins to Ghana.

President Clinton's discussions with President Rawlings were cordial and covered considerable ground. During the meeting, President Rawlings signaled his intention to abide by constitutional strictures and not run for a third term. Touching on Ghana's ongoing energy crisis, President Clinton indicated the U.S. was prepared to examine ways to assist Ghana with its energy problems. As a result, loan guarantees were provided for the construction of two U.S.-origin power barges and an energy assessment team composed of energy experts from USAID, the Departments of Energy and Transportation, and the Trade Development Agency has visited Ghana to provide advice.

*Question 3.* What consequences will Nigeria's current political instability have on Ghana?

Answer. Ghana will be required to keep a close eye on developments in Nigeria. An ever-present concern for Ghana is the potential impact on the region of an influx of refugees if Nigeria were to suffer serious civil disorder. Nigeria also has significant influence on Ghana's economy, providing one-third of Ghana's oil. A severe breakdown in Nigeria would have negative economic consequences for Ghana. Ghana will continue to work closely with Nigeria within the framework of ECOWAS, an organization to which the two countries are principal contributors and supporters. We anticipate that Ghana will continue to encourage moderation and stability in Nigeria and will not seek to take advantage of Nigeria's current fragile situation to strengthen its own role in the region.

*Question 4.* Military units from Ghana have recently received U.S. training under the Administration's Africa Crisis Response Initiative an initiative that I have generally supported. Why was Ghana chosen as a participant? Please describe the training that took place in Ghana. Do you foresee additional training?

Answer. The objective of the Africa Crisis Response Initiative is to enhance African peacekeeping capacities, particularly with respect to the ability of African countries to respond quickly and effectively to humanitarian crises. The initiative aims to strengthen peacekeeping capabilities within selected African militaries through training, exercises, and the provision of limited amounts of nonlethal equipment, particularly communications equipment. ACRI-trained militaries will have the potential to draw from their forces elements that can be used in peacekeeping situations together with similarly-trained forces from other African nations. The focus is on harmonizing practices and enhancing interoperability. The Initiative does not, however, seek to create a standing African peacekeeping force.

Ghana was selected as a participant because it is a democratic state with a strong human rights record. In addition, Ghana's military has participated in over sixteen peacekeeping operations worldwide over the past three decades and enjoys a first-rate reputation for professionalism and competence.

The training that took place in Ghana in April-May 1998 emphasized basic soldier skills, communications skills, and small group peacekeeping skills.

There has been discussion about training a second Ghanaian battalion and a brigade-level command and control unit. The two sides are examining some of the issues related to such a decision.

*Question 5.* A recent *Financial Times* article placed Ghana as not only the "best performing market in Africa but also as one of the sharpest risers within the emerging markets sector worldwide." According to the article, the main index on the Ghana exchange has risen by 85% in dollar terms so far this year against a modest 8% advance in 1997. What can this sign of future economic health be attributed to? How likely is it that this trend will continue?

Answer. This indication of economic health can largely be attributed to a surge in investor confidence sparked by Ghana's demonstrated adherence to economic reform policies agreed upon with the IMF and to visible evidence of investor opportunities. Ghana came back on track with its IMF program this year, an event which has boosted investor confidence. Improved Ghanaian fiscal discipline brought inflation down from 70% in 1996 to 27% in 1998 and resulted in an overall better environment for the private sector. Recent signs of economic health followed a bleaker period that began with massive GOG overspending on civil service pay hikes and infrastructure projects in 1992. The government has demonstrated a readiness to correct these macroeconomic mistakes, and investor confidence in economic management has improved as a result.

Investor confidence also reflects faith in Ghana's political stability. This confidence has developed continually since Ghana's first multiparty elections in 1992, and received a notable boost with the free and fair elections of 1996. Confidence now appears to be at an all-time high.

Stock markets inevitably have their ups and downs, and it is not possible to predict whether Ghana's stock exchange will continue to rise at its present pace. Events such as Ghana's present energy crisis could temporarily dampen the pace. However, the prospects for continued growth are good as long as the Government stays with the economic reform agenda that it has agreed upon with its development partners.

*Question 6.* Presently the immediate task of the IMF program in Ghana is to downsize the large budget deficits primarily through cutting public spending. However, the IMF is facing serious challenges from Ghana's leadership. There is contention from Vice President John Atta Mills and President Jerry Rawlings as to whether or not the conditionality of the IMF program are appropriate. What exactly is the substance of these concerns? Is the IMF program in Ghana working? Why or why not?

*Answer.* A certain amount of tension between the IMF and a receiving country is probably inevitable. Vigorous discussion between the IMF and the Government of Ghana (GOG) is not unhealthy and represents the fact that both sides are engaged in a difficult and dynamic process. The fact is, Ghana is back on track with its IMF program and this suggests that there is broad agreement between the IMF and the GOG over the direction of the program. There is certainly a consensus within the GOG and leading sectors of Ghanaian society that the economic reform program as outlined by the IMF and others is appropriate. Debate is not over whether an economic reform program is needed, it is largely over the details. The IMF program in Ghana is working. President Rawlings has publicly committed his Government to staying with the program and we believe he will do so.

*Question 7.* What opportunities has Ghana's expanding market provided for U.S. business? What sectors of the economy are most attractive for additional U.S. investment? What steps have been taken by the Department of State, the Department of Commerce, and the U.S. Agency for International Development to strengthen U.S. economic relations with Ghana?

*Answer.* Ghana's expanding market contains significant opportunities for U.S. business in the areas of heavy equipment, vehicles, generators and other energy production equipment, food processing equipment, agricultural products, building materials and wood products, oil services and supply. Construction, energy production, and food processing are particularly active sectors. In addition, there are opportunities for U.S. business in the areas of tourism, banking, and financial services.

The Departments of State and Commerce have encouraged Ghana through dialogue to undertake market reforms leading to an expansion of the private sector, and to develop regulatory and legal frameworks that encourage private investment. They have also urged Ghana to open up and expand its energy sector, utilizing private sector resources. The Embassy has encouraged the establishment and progress of the American Chamber of Commerce in Accra. Commerce has supported exhibits of U.S. products at numerous trade fairs in Ghana. USAID has encouraged new and better ways of doing business, promoted market-led investments in private enterprises, stimulated innovation in support services, and urged the Government to withdraw from businesses and services that can be better operated by the private sector.

*Question 8.* The government's Vision 2020 goal is to have middle income status by 2020 implying a GDP growth rate of 8% or more annually, which relies on raising private sector investment. What are the prospects for Ghana to achieve this goal?

*Answer.* The prospects for Ghana to achieve its Vision 2020 goal are good if it follows through with the economic reform agenda it has agreed to with the IMF and other development partners. The Government of Ghana is aware that it needs to make further improvements in its macroeconomic policies—particularly reducing the deficit and keeping inflation under control—and it appears poised to make the necessary critical adjustments. Ghana also needs to attract more investment to meet the Vision 2020 goal. While Ghana has an aggressive program to promote foreign investment, it will need to further streamline investment and regulatory procedures to attract the level of investment it needs. There appears to be a wide consensus within the Government to proceed with the needed reforms.

*Question 9.* I understand that discussions are currently underway regarding a "West Africa Pipeline" which would involve the construction of a gas pipeline from Nigeria's Bonny Field, via Benin and Togo, to Ghana. This would allow access to the larger natural gas reserves of Nigeria. What is the likelihood of this project proceeding, and what is your opinion of it?

*Answer.* Ghana, Benin, and Togo are in the throes of an energy crisis that began when water levels at Ghana's Akosombo Dam, the region's principal energy source, dropped well below normal levels. This event has clearly demonstrated that, due to



capricious climatic conditions and rapidly growing consumer demand for electricity, Ghana and the region can no longer rely primarily on hydroelectric power to meet their energy needs. We believe that Ghana needs to examine a range of energy options to meet its needs and that most of these options lie within the private sector. We have urged Ghana to examine its energy policies and take serious steps to create an energy environment, including pricing structures, that will attract private sector investors. In an effort to assist Ghana with its energy problems, a team of U.S. energy experts is presently visiting Ghana to provide advice on a wide range of energy technologies, energy conservation techniques, and economic structures. We have consistently pointed out to the Government of Ghana the wealth of capital and expertise that is available through U.S. energy companies. We have also encouraged Ghana and its neighbors to work together to develop responses to the energy crisis within a regional framework.

One of the options that has been proposed is the West African oil pipeline backed, in part, by a U.S. energy company. We have met with proponents of this project and have encouraged the Government of Ghana to examine this proposal, along with other pipeline and energy proposals by other U.S. firms. A number of energy experts have indicated they believe this project offers a least-cost long-term solution to the energy requirements of Ghana and the region. The Government of Ghana has expressed strong interest in the project but has not yet taken definitive steps to move ahead with it. We continue to urge the Government to begin discussions with regional partners on optimal common solutions, and to move ahead expeditiously with a definitive plan of action.

---

UNITED STATES DEPARTMENT OF STATE,  
WASHINGTON, D.C. 20520,  
*July 29, 1998.*

THE HON. JESSE HELMS,  
CHAIRMAN,  
COMMITTEE ON FOREIGN RELATIONS,  
UNITED STATES SENATE.

DEAR MR. CHAIRMAN:

Following the July 23, 1998 nomination hearing at which Ambassador-Designate Robert C. Perry testified, additional questions were submitted for the record. Please find enclosed the responses to those questions.

If we can be of further assistance to you, please do not hesitate to contact us.

Sincerely,

BARBARA LARKIN,  
ASSISTANT SECRETARY,  
LEGISLATIVE AFFAIRS.

Enclosures: As stated.

RESPONSES OF AMBASSADOR-DESIGNATE ROBERT C. PERRY TO WRITTEN QUESTIONS

*Question 1.* What are the prospects for the economy of the Central African Republic? Are there sectors of the economy, such as mining, where the U.S. private sector could make a contribution? Would you encourage U.S. companies to become involved?

Answer. Prospects for the Central African Republic's economy are fair to good in the short-term. The Central African Republic is one of the world's poorest countries. Its already fragile economy was badly shaken by the mutinies of 1996 and 1997. At the end of 1997 it had a per capita GDP of \$310. However, the Ministry of Finance, working closely with the IMF, has taken steps to improve revenue collection, begin the process of privatizing the petroleum and electricity parastatals and to meet military and civil service payrolls. The IMF executive board approved a new extended structural adjustment facility for the CAR on July 20. If the government maintains economic discipline and implements further necessary reforms, the CAR could enjoy a modest economic success. Already nearly self-sufficient in food production, it has potential for regional agricultural exports and for developing its mineral export sector.

This is not a large economy. However, CAR does offer opportunities for American business in gold and diamond mining and/or export. While these areas have been and are still controlled mainly by CAR and French partnerships, there is room for American companies to enter the market. Privatization may offer opportunities for sales or service contracts as well.

CAR's forest region is rich in varieties of flora and fauna and has real potential for ecotourism, export of wood veneers and possibly pharmaceutical discoveries.

As Ambassador I would encourage US companies to invest in the CAR. I would work hard to promote American business, push for transparency in the awarding of contracts and make sure that opportunities for American business are identified promptly.

*Question 2.* Please discuss the achievements and shortcomings of the African peacekeeping force, known as MISAB, that was deployed in CAR from February 1997 through March 1998. To what degree, in your view, was this force a model for peacekeeping in other African conflict situations? What support, if any, did the United States provide to MISAB?

Answer. The six-nation MISAB restored and then maintained order in Bangui during its deployment. It collected and safeguarded weapons that had been used in the mutinies. I believe that the decision of the regional heads of state to deploy their troops and to assist in negotiations among the parties to the conflict was an important step forward for African peacekeeping MISAB troops were commanded by a

Gabonese general and former Malian president Toure was a key figure in resolving political differences.

MISAB's deployment helped keep a democratically-elected president in power, ended human rights abuses and violence against civilians by rebel forces, and restored security to a divided city. This effort did require financial and logistical support beyond the capacity of the regional states. France provided financing and logistics. There were some accusations, particularly during the first months, that MISAB troops had committed human rights abuses in their efforts to disarm rebels and dislodge them from their strongholds. This was a regrettable result of the rebels having barricaded themselves in the midst of civilian neighborhoods in various sectors of Bangui.

U.S. support for MISAB was diplomatic rather than financial or logistical. Our then-Ambassador in Bangui was in constant touch with the various parties to the conflict as well as with regional mediators.

*Question 3.* Why was MISAB replaced by a United Nations peacekeeping force? What assistance is being provided to this force, known as MINURCA?

Answer. MISAB was an African multinational force, funded and provided with logistical assistance by France. The French indicated that, as part of their broader efforts to reform French Africa policy, they would cease funding MISAB and withdraw their permanent forces from the CAR by April 15 of this year. The international community recognized that without a force to replace MISAB for the short term, the unaddressed underlying economic and political causes of CAR's instability could quickly resurface; MINURCA was created to maintain that needed short term security.

The US pays 25 percent of assessed costs for UN peacekeeping operations such as MINURCA. The UN estimates the costs of MINURCA's start-up and first six months of operations at \$47.6 million. The US share would be \$11.9 million. The assessed costs of the operation have been somewhat lessened as the French have made an additional voluntary contribution to MINURCA in cash and in kind. The French contribution includes virtually all of the equipment used by MISAB, including vehicles and communications equipment, as well as over \$1 million in cash.

*Question 4.* France has recently closed the bases it once used in CAR for deployments elsewhere in Africa and withdrawn its troops from CAR. What lay behind the French decision? In your view, does the French departure tend to undermine stability in the CAR and elsewhere in Africa? Please explain. How has the French withdrawal affected the operations of MINURCA, which were receiving French logistical support?

Answer. While I cannot speak for the Government of France, I understand that the French decision to reduce its overall troop presence in Africa was based on a combination of budget considerations and increased military commitments outside Africa (such as Bosnia). Certainly the withdrawal of well-armed, well-trained French troops removes a security guarantee that helped to prevent instability in the CAR or elsewhere on the continent. This has been an important factor in international efforts to address the internal causes of instability in the CAR: so that it will not relapse into conflict when international forces are withdrawn. On the other hand, the absence of French troops obliges the CAR and other countries to take on responsibility for their own security.

France funded the African multinational force MISAB, and French troops stationed in the CAR provided logistical support. As of April 15, the date marking MISAB's termination and final transition to MINURCA, the French have not maintained an independent military presence in the CAR. The 200-soldier French contingent currently in CAR is an integral part of MINURCA and provides the logistics for the UN operation. MINURCA has the use of French-built military facilities in the CAR free of charge. The French voluntary contribution also defrays some of the salary costs of the French contingent.

*Question 5.* In January 1998, UN Secretary General Kofi Annan expressed concern that certain aspects of the 1997 Bangui Agreements had not been implemented—particularly a parliamentary audit of persons suspected of misappropriating public funds, a reduction in the size of the presidential guard, and the dissolution of special security services. What progress has been made in these areas since January? What problems would be posed by a continuing failure to resolve these issues?

Answer. I should clarify the first issue you have raised. The Bangui Accords called for a suspension of the parliamentary audit of persons suspected of misappropriating public funds. The parliamentary audit had been directed at members of the government of former President Kolingba, a number of whom had been jailed for months at the time of the May 1996 mutiny. Mutineers and opposition parties argued that the audit was a politically motivated effort to jail and tarnish the reputa-

tions of the Kolingba party. This audit was suspended by the CAR National Assembly early this year.

There has been little progress on restructuring the CAR army into a genuinely multiethnic force. Presidential decrees renamed the presidential guard and special security services but made no genuine change. We, and others in the international community, have been pressing the CAR government hard over the past few months to take these crucial steps. A genuine restructuring of the army is critical to CAR's continuing stability after international peace keepers withdraw. A failure to resolve this issue could well result in renewed violence.

*Question 6.* In your view, what were the principal causes of the military mutinies of 1996? To what degree did the mutineers have the support and the sympathies of the civilian population? Please explain.

Answer. There was a complex of causes for the 1996 mutinies. In my view, the principal one was CAR's poverty, which arises from a mix of factors, including bad economic management and the country's landlocked position in the center of the continent. Historically, the party in power has used the country's resources for political patronage. In the case of the 1996 mutinies, the bulk of the army had not been paid in months while the president's personal guard received pay and promotions. Although the mutinies were conducted along ethnic lines, I see this as reflecting not so much deep animosity between groups as attempts by those in power to keep all of an overly small pie for their own supporters.

The mutineers left barracks in May 1996 and set up strongholds in their own ethnic neighborhoods of Bangui. My strong impression of what then occurred was that the mutineers' popular support depended on the political sympathies of given civilian groups within whose neighborhoods they had barricaded themselves but that most of Bangui wanted nothing more than a quick end to the fighting.

*Question 7.* Please discuss the ethnic makeup of the CAR army. What links exist between the army and the former military ruler, Andre Kolingba? To what degree do these links, if any, threaten democracy in the CAR?

Answer. The CAR army is largely of the Yakoma ethnic group, to which former President Kolingba also belongs. There are both ethnic and political ties between members of the army and Kolingba's party; political allegiances in the CAR tend to follow ethnic lines. Although the mutineers did not overthrow the Patasse government, at one point they called for his resignation. Ethnic politics in the CAR center around competition for scarce resources rather than any traditional animosities. I believe that CAR does have a chance to move beyond potentially dangerous ethnic politics, and the key is sound management, giving all CAR citizens a shot at economic security.<sup>211</sup>

*Question 8.* What is your assessment of the quality of governance in the Central African Republic under President Patasse? To what degree have corruption and the misappropriation of public funds been a problem?

Answer. There is no question that there has been mismanagement; there have also certainly been serious allegations of corruption against the Patasse government, as against earlier regimes. I am encouraged at the work being done by the Ministry of Finance in close cooperation with the IMF. The focus is now on budget transparency and a serious program of revenue collection. A sound economic program open to public scrutiny is essential.

*Question 9.* Please describe the preparations being made for the legislative elections in CAR, scheduled for August/September 1998. In your view, are these arrangements adequate to assure a free and fair vote? What support, if any, is being given by the United States to the elections process?

Answer. The elections will be held in two rounds, on September 20 and October 11. CAR's Constitutional Court will announce the results on October 25, allowing two weeks for any recounts or challenges that may arise. President Patasse named former Prime Minister Michel Adama-Tamboux, who is not affiliated with a political party, as President of the Independent Electoral Commission. All registered parties can participate in the Electoral Commission; most have chosen to do so. The Commission is organizing and will supervise the elections; putting this responsibility in the hands of a multiparty independent organization will ensure greater transparency in the process and results. UNDP is coordinating donor assistance.

These arrangements should be adequate to permit free and fair elections. The CAR held free and fair democratic elections in 1993.

The Department of State is working with AID to find funds for the National Democratic Institute to train national and political party monitors, which would give participating parties a stake in the outcome of the elections.

*Question 10.* CAR is bounded by three countries that have seen a great deal of conflict and instability—Sudan, Congo Brazzaville, and Congo Kinshasa. In what ways, if any, has instability in these countries affected the situation in the Central African Republic?

Answer. Refugees from all three countries have fled into the CAR, and required international assistance. There have been some reports of armed ex-FAZ in border areas. It is quite possible that bandits from one or more of these countries are contributing to the rise of violent crime reported throughout the CAR over the past two years; the CAR armed forces have neither the resources nor the personnel to adequately patrol remote areas of the country

---

RESPONSES OF AMBASSADOR-DESIGNATE ROBERT C. PERRY TO WRITTEN QUESTIONS

*Question 1.* In approving the deployment of new peacekeeping operations in CAR, the United Nations established a series of benchmarks that it will evaluate at 3 month renewal periods. One of these benchmarks concerns progress in the electoral process. Please describe the preparations being made for the legislative and presidential elections in CAR. Have dates been scheduled? In your view, are the arrangements for the elections adequate to assure a free and fair vote? Why or why not? Do you think the electoral process will meet the standards set by the United Nations?

Answer. The legislative elections will be held in two rounds, on September 20 and October 11. CAR's Constitutional Court will announce the results on October 25, allowing two weeks for any recounts or challenges that may arise. Dates have not been set for the presidential elections, which will be held in 1999.

President Patasse named former Prime Minister Michel Adama-Tamboux, who is not affiliated with a political party, as President of the Independent Electoral Commission. All registered parties can participate in the Electoral Commission; most have chosen to do so. The Commission is organizing and will supervise the elections; putting this responsibility in the hands of a multiparty independent organization will ensure greater transparency in the process and results. UNDP is coordinating donor assistance.

These arrangements should be adequate to assure a free and fair vote and to meet UN standards. The CAR held free and fair democratic elections in 1993.

---

UNITED STATES DEPARTMENT OF STATE,  
WASHINGTON, D.C. 20520,  
*July 29, 1998.*

THE HON. JESSE HELMS,  
CHAIRMAN,  
COMMITTEE ON FOREIGN RELATIONS,  
UNITED STATES SENATE.

DEAR MR. CHAIRMAN:

Following the July 23, 1998 nomination hearing at which Ambassador-Designate John M. Yates testified, additional questions were submitted for the record. Please find enclosed the responses to those questions.

If we can be of further assistance to you, please do not hesitate to contact us.

Sincerely,

BARBARA LARKIN,  
ASSISTANT SECRETARY,  
LEGISLATIVE AFFAIRS.

Enclosures: As stated.

RESPONSES OF AMBASSADOR-DESIGNATE JOHN M. YATES TO QUESTIONS ASKED BY  
SENATOR HELMS AND SENATOR ASHCROFT

*Question 1.* In October 1992, multi-party elections were held in Cameroon, and observers said the elections were deeply flawed. Do you agree with this assessment. What measures did the United States take as a result?

Answer. I assume your question refers to the October 1997 elections. I agree with the assessment of observers from the International Foundation for Election Systems (IFES), the British Commonwealth and the Francophone community that the October 1997 legislative elections were flawed.

Following the legislative elections, the United States urged the Cameroonian government to reach an agreement with the opposition parties on electoral reforms that would ensure that the subsequent October presidential elections would be free and fair. The State Department issued a statement on September 18 regretting that the government and opposition were unable to reach such an agreement.

*Question 2.* President Paul Biya has been in power for over 15 years. What can you tell us about Paul Biya? Do you consider him a democrat, a dictator?

Answer. Trained as a lawyer, Paul Biya was a career government employee who rose through the ranks to become Prime Minister in 1975. He succeeded Cameroon's first president in 1982 in accordance with Cameroon's constitution. Biya inherited a rigid one-party state and exhibited little inclination for reform. Eventually, however, he allowed an opening of the political system and made modest improvements in human rights. While he has undertaken reforms grudgingly and is a democrat by necessity rather than conviction, he has come a long way in fifteen years. Based on what I have been able to determine in preparation for this assignment, I would not consider him a dictator.

*Question 3.* There are a number of active opposition political parties in Cameroon. What can you tell us about SDF and UNDP? How about their leaders?

Answer. The Social Democratic Front (SDF) was created in 1989 by John Fru Ndi, an anglophone businessman from the primarily anglophone northwest. The SDF is the largest opposition party, with a strong base in the anglophone northwest and among educated urban dwellers. The SDF boycotted the 1997 presidential elections. It recently broke off a dialogue that it had begun with the government following the 1997 elections, largely because of the government's refusal to establish an independent electoral commission. There are splits within the party between moderates who seek dialogue with the government and hard liners who oppose dialogue and advocate SDF withdrawal from the parliament. The SDF Congress, scheduled for later this year, could see challenges to Fru Ndi's leadership.

The National Union for Democracy and Progress (UNDP is the French acronym) is headed by Maigari Bello Bouba. Bello Bouba, son of a well known northern chief-

tain, rose quickly through government ranks to become Prime Minister under Biya in 1982. When hostilities broke out along north-south lines, Bello Bouba was forced out of his position. He founded the UNDP in May 1990. After boycotting the 1997 presidential election, the UNDP subsequently joined the ruling coalition. Bello Bouba was named Minister of Industry and Commerce. Many UNDP supporters oppose the coalition arrangement, in part because they do not believe they have received their share of government positions or influence.

*Question 4.* The second multi-party legislative and presidential elections were held in 1997. The ruling party won a majority in the National Assembly and President Biya was reelected. Were these elections free and fair? Why did the opposition boycott the presidential election?

Answer. We do not believe the October 1997 legislative elections were free or fair. The major opposition parties, as well as observers from the International Foundation for Election Systems (IFES) the British Commonwealth and the Francophone community, had found deficiencies in the electoral procedures. The opposition parties sought electoral reforms before the presidential election. In particular, they wanted an independent electoral commission. They boycotted the presidential election because they were unable to reach an agreement with the government on electoral reforms.

*Question 5.* The former Health Minister, Titus Edzoa, who defected to form his own party in April 1997, had been detained for over a year. What is the reason behind Edzoa's detention?

Answer. Titus Edzoa is serving a 15 year sentence following his conviction on corruption charges. We have no reason to believe that Edzoa was not guilty of the charges brought against him, but we question whether the charges were brought for political reasons associated with his opposition to Biya.

*Question 6.* What is your assessment of the current political situation in Cameroon? What are the prospects for improved conditions? Are you optimistic about democracy in Cameroon?

Answer. Cameroon's political system has evolved in the last ten years, but it has a long way to go before I would classify it as a democracy. A decade ago Cameroon was a one-party state with no private press or other means for people to express their views. There are now a number of political parties and an active private press; both can and do criticize government policies. Unfortunately Cameroon's elections have been flawed and the government has yet to establish the Senate and Regional Councils called for in the Constitution and implement the existing law allowing private broadcasting. Cameroon is moving in the right direction, just not very quickly. I am guardedly optimistic that it will continue to make progress on democratization and my task as Ambassador will be to try to accelerate that process.

*Question 7.* What is the significance and basis of the English-speaking and French-speaking split? Is this reflected in relative income? Social class? political parties?

Answer. The split between English speakers and French speakers is primarily regional rather than economic or social. Formerly a German colony, Cameroon was into British and French administered territories following the First World War and then reunited at independence. The linguistic difference is largely regional: English is spoken primarily in the sections of the country that were under British administration (the northwest) and French is spoken primarily in the regions that were under French administration. Although Cameroon is officially bilingual and many people, particularly the more educated, speak both languages, French is the more widely spoken language and some anglophones believe that they are at a disadvantage. The SDF party is particularly strong in the English-speaking regions of the country, but draws considerable support among French-speakers as well.

*Question 8.* Cameroon has one of the highest per capita incomes in Africa. What is your assessment of the economy? How would you rate Cameroon's privatization program? How are relations between the government and the international financial institutions?

Answer. Cameroon enjoyed strong economic growth from independence until the mid-1980s when a combination of bad economic policies and declining commodity prices led to economic stagnation from which it has only recently begun to recover.

Cameroon has made some progress on privatizing state-owned companies, but more needs to be done. I would give it a B- in comparison to other African countries.

Following four failed IMF programs since 1987, the government signed an enhanced structural adjustment facility (ESAF) with the IMF in August 1997 and has so far adhered to its conditions. The World Bank also has an active program in Cameroon.

*Question 9.* Cameroon owes an estimated \$8 billion in external debt. How has this situation affected the economy? What are the prospects for debt cancellation?

Answer. Although Cameroon's debt burden is not among Africa's heaviest, the government is not able to service its debt fully. Over the last ten years Cameroon has received five reschedulings from the Paris Club of bilateral creditor governments, including the United States. The most recent agreement, in 1997, reduced by 67% many of the payments coming due over the next three years and rescheduled those payments. If Cameroon continues to implement its current IMF program, we expect that in the year 2000 Paris Club creditors will agree to reduce by 50% or more the stock of debt Cameroon owes them. We believe that this reduction would leave Cameroon with a sustainable debt burden.

*Question 10.* Critics accuse the government of widespread corruption in the civil service. How serious a problem is corruption? What steps has the government taken?

Answer. Corruption is a serious problem in Cameroon. Although President Biya announced an anti-corruption campaign in June 1995 and the government initiated measures to combat endemic corruption by civil servants in September 1996, the efforts have had limited effect. Following the formation of a new government in December 1997, the Prime Minister renewed the anti-corruption campaign by creating an ad hoc committee to address the problem. Other than sensitizing the population on the problem, the anti-corruption campaign has yet to show significant concrete results.

*Question 11.* Relations between the United States and the Biya government have deteriorated since the flawed elections of 1992 and poor human rights conditions. How would you characterize relations between the two countries? What is your assessment of human rights conditions? What are prospects for improvement?

Answer. Bilateral relations have improved somewhat since the early 1980s, but they remain limited. In the wake of the flawed 1992 elections we closed our bilateral aid program, suspended the delivery of some military equipment and took other steps reflecting our concerns about the political and human rights situation. Since then, we have seen modest improvements in both areas and a significant improvement in press freedom. Following last year's elections, the government freed some political prisoners and initiated a dialogue with opposition political parties, which resulted in one party entering the government. In response to these measures, we allowed delivery of some military radios that had been blocked since 1992. Transportation Secretary Slater's recent visit to Cameroon the first by a cabinet secretary since the 1992 elections also reflects this slight improvement in our relations. Nevertheless, Cameroon's human rights record remains flawed. We have made it clear to the Cameroonian government that further improvements in bilateral relations will depend on its progress on political reform and human rights conditions.

*Question 12.* What are your priorities as ambassador? What would you do specifically to help improve human rights and democracy?

Answer. My priorities as Ambassador would be ensuring the safety and welfare of American citizens and seeking a favorable environment for U.S. businesses. As Ambassador, I would also continue our policy of linking improvements in bilateral relations to Cameroon's progress on democratization and human rights. I would consistently demonstrate my concern about these issues, and explain that this concern is shared by Congress, human rights organizations and others in the United States. My experience in the Republic of Benin over the past three years, where democracy and economic liberalism are achieving significant success, provides me with a considerable inventory of information about programs that have worked successfully. I would expect at least some of this experience to be transferable.

*Question 13.* What is the current status of the Bakassi Peninsula dispute between Nigeria and Cameroon? Are you optimistic that the conflict can be resolved peacefully?

Answer. On June 11 the International Court of Justice in The Hague found that it has jurisdiction to deal with the merits of the case brought before it by Cameroon against Nigeria concerning their boundary dispute. The Court will now address the merits of the case.

There are continuing small scale skirmishes between Cameroonian and Nigerian troops on the Bakassi Peninsula, but there is some room for cautious optimism that large scale fighting can be avoided. Much will depend on the new Nigerian government's policy on the dispute.



RESPONSES OF AMBASSADOR-DESIGNATE JOHN M. YATES TO QUESTIONS ASKED BY  
SENATOR HELMS AND SENATOR ASHCROFT

*Question 1.* Relations between the U.S. and the Biya government have deteriorated since the flawed elections of 1992 and poor human rights conditions. How would you characterize relations between the two countries? What is your assessment of human rights conditions? What are the prospects for improvement?

Answer. Bilateral relations have improved somewhat since the early 1990s, but they remain limited. In the wake of the flawed 1992 presidential election we suspended most new aid obligations and later closed the AID mission in Yaounde. We also suspended the delivery of some security assistance articles. These actions were taken in response to the government's crackdown on opposition activities, including the declaration of a state of emergency in some regions, the arrest of opposition figures and credible reports of serious human rights violations by security forces, as well as the election itself. The government's modest efforts to open the political system and improve human rights have enabled us to make reciprocal gestures. We recently allowed the delivery of some military radios that had been suspended in 1992. Transportation Secretary Slater's recent visit to Cameroon—the first by a cabinet secretary since the 1992 elections, also reflects the slight improvement in relations. We have made it clear to the government that further improvements in bilateral relations will depend on its progress on political reform and human rights.

The Cameroonian government's human rights record is poor, although there have been improvements in recent years. Security forces have committed extra judicial killings and often abuse detainees. They arrest and detain arbitrarily opposition figures and human rights activists and harass citizens. Prison conditions are life threatening. (Details are available in the State Department's human rights reports.)

The frequency and severity of the abuses do, however, appear to be diminishing. Perhaps more importantly, the government has begun taking action against human rights abusers. For example, Cameroonian courts recently sentenced several police officials to jail terms in two separate cases related to deaths in police custody.

We are guardedly optimistic that Cameroon will continue to make progress on human rights and I will work to accelerate that process.

*Question 2.* Cameroon's second multi-party legislative and presidential elections were held in 1997. The ruling party won a majority in the National Assembly and President Biya was reelected. Were these elections free and fair? Why did the opposition boycott the presidential election? What is the extent, if any, of U.S. contact with the opposition and with civil society in general?

Answer. The assessment of observers from the International Foundation for Election Systems (IFES), the British Commonwealth and the Francophone community that the May legislative elections were not free and fair is an accurate one. The three major opposition parties sought electoral reforms before the presidential elections. In particular, they wanted an independent electoral commission. They boycotted the presidential elections because they were unable to reach an agreement on electoral reform. Biya won the boycotted elections against several minor candidates with over 90% of the vote. The government claimed that voter turnout was 80%. Opposition puts the figure at closer to 30%. The opposition figure is probably closer to reality.

The U.S. Embassy in Yaounde has extensive and regular contact with the opposition and with civil society in general, including with opposition party leaders, human rights activists, non-governmental organization officials, and journalists.

*Question 3.* Is there a free press in Cameroon?

Answer. Cameroon's constitution provides for freedom of the press, and the press has enjoyed increased liberty following the 1996 repeal of a law that authorized press censorship. Even though the government continues to impose some limits on those rights, there is a vibrant private press which can and does criticize the government. Nevertheless, the government continues occasionally to prosecute journalists under libel laws that specify that defamation, abuse, contempt, and dissemination of the false news are offenses punishable by prison terms and heavy fines. The government has not implemented a law aimed at opening the electronic media to private interests and it continues to control radio and television.

UNITED STATES DEPARTMENT OF STATE,  
WASHINGTON, D.C. 20520,  
*July 29, 1998.*

THE HON. JESSE HELMS,  
CHAIRMAN,  
COMMITTEE ON FOREIGN RELATIONS,  
UNITED STATES SENATE.

DEAR MR. CHAIRMAN:

Following the July 23, 1998 nomination hearing at which Ambassador-Designate James V. Ledesma testified, additional questions were submitted for the record. Please find enclosed the responses to those questions.

If we can be of further assistance to you, please do not hesitate to contact us.

Sincerely,

BARBARA LARKIN,  
ASSISTANT SECRETARY,  
LEGISLATIVE AFFAIRS.

Enclosures: As stated.

RESPONSES OF AMBASSADOR-DESIGNATE JAMES V. LEDESMA TO QUESTIONS ASKED BY  
SENATOR HELMS, SENATOR ASHCROFT AND SENATOR FEINGOLD

*Question 1.* Would you describe Gabon as a democratic nation? In your answer, please comment on the elections that have taken place in Gabon during the 1990s.

Answer. Democracy in Gabon is a work in progress. Its presidential elections in 1993 were flawed. In 1994, President Omar Bongo accepted the Paris Accords, a series of political and electoral reforms designed to make Gabon multi-party. In 1996, Gabon witnessed municipal and legislative elections, with mixed results. In the municipal elections, opposition parties won the mayors' office in the country's two largest cities, but the legislative elections were conducted in an unsatisfactory manner. Presidential elections re scheduled for this December and we are hopeful they will be fair, transparent, and internationally recognized as legitimate. It seems the Bongo government feels likewise, as it has sought and even offered to finance international election monitors and foreign technical assistance.

*Question 2.* Gabon is to conduct presidential elections by the end of 1998. What preparations have been made for these elections? What electoral assistance, if any, is being provided by the United States?

Answer. The Gabonese Government (GOG) has stated that it will conduct transparent and open elections in December and has invited observers and electoral assistance from the international community. The GOG constructed in Libreville a training center for election workers which will subsequently serve as a voter registration center for the Libreville and Owendo regions (Gabon's most populous area).

Various opposition parties have held regional and national conventions in preparation for the December poll. Currently there are four declared opposition candidates. Each of the numerous political party newspapers have been extolling the virtues of their candidate.

The U.S. Embassy in Libreville has been closely monitoring these political developments. Embassy officials have observed each of the major party conferences and have met with the leaders of Gabon's major (and some minor) political parties. They have also met with the leadership in the GOG (President, Vice President, Prime Minister, Ministers of Interior, Defense, Planning, Foreign Affairs, etc.). In each and every meeting, the U.S. message has been clear: Gabon's standing in the international community depends on a transparent and open electoral process.

This past May, the Embassy sent representatives from Gabon's two largest opposition parties on a USIA-funded International Visitor Program to examine the democratic process in the United States. However, the representative from the majority party dropped out of the program at the last minute.

In June, Ambassador Raspolic and Gabon's Minister of Interior signed an agreement in which the Embassy will provide African election monitors under a Democ-

racy and Human Rights Fund project valued at \$87,000. The Embassy is currently in the process of selecting the Francophone African NGO who will manage the project. The Embassy is also in contact with other donors (Canada, France, Japan, EU, and UNDP) to explore ways to coordinate electoral assistance.

*Question 3.* Do you expect President Bongo to be a candidate in the 1998 presidential vote? What benefits and liabilities would his candidacy have for Gabon?

Answer. Although he has not formally announced his candidacy, President Bongo will almost certainly seek reelection as President. As he is the man to beat in these elections, his candidacy may help consolidate an already fractious opposition. The greatest liability that his candidacy poses is that it will likely dominate the electoral process and open the government to criticism of manipulation.

*Question 4.* France has had a long and close relationship with Gabon and President Bongo, but the French Socialist government seeks to reduce French commitments in Africa. Please describe the current state of relations between France and Gabon. Are French troops currently based in Gabon? If so, are they expected to remain? To what degree will the changes currently underway in French Africa policy threaten the political stability of Gabon?

Answer. Relations between France and Gabon remain close, cooperative, and friendly. France is Gabon's primary trading partner and donor. France maintains a 550-person military base in Libreville and there are no plans to reduce the size of this garrison. The changes in French African policy have resulted in a diminution of economic assistance relative to previous years. The change in French policy has encouraged the Gabonese Government to look for other markets and donors and, thereby, has reinforced the importance of open markets and the democratic process.

*Question 5.* Gabon uses the CFA franc, which is linked to the French franc at a fixed exchange rate guaranteed by France. Yet France is a founding member of the European Monetary Union (EMU) and its currency will be replaced by the Euro in 2002, after a 3-year transition. What impact will the emergence of the Euro have on the CFA franc? What preparations have France and its EMU partners made to accommodate the needs and interests of the CFA countries?

Answer. The governments of France and the CFA franc countries have indicated their intention to preserve the existing CFA franc zone arrangements, including the French Treasury's guaranteed convertibility of the CFA franc, during and after the transition to the Euro. Such a commitment is allowed under the Maastricht Treaty, and the European Union (EU) has recognized that France can maintain this pre-existing agreement, with no obligation on the part of the EU. The French franc-Euro conversion rate to be established as of January 1, 1999, will determine the new fixed parity between the Euro and the CFA franc. However, it is not yet clear whether EMU countries will agree that the guarantee is a budgetary arrangement purely between France and the CFA countries, as French officials have characterized it, or that it is an exchange rate arrangement that affects all EMU countries and in which France's EMU partners should also have a voice.

The transition to the Euro offers advantages for the CFA countries at the same time that it poses some risks. Europe is the leading export market for the CFA franc zone. A fixed exchange rate between the Euro and the CFA franc will stimulate trade with EMU countries and encourage higher inflows of EU foreign direct investment in the CFA franc zone. It should also improve access by CFA franc countries to the European money market. European demand for exports by CFA franc and other African countries is likely to increase if the Euro leads to higher growth in EMU countries. As to the risks, any volatility during the transition to the Euro could have an adverse impact on the CFA franc zones' export earnings, as many of its key exports are priced in U.S. dollars. If the Euro emerges as a strong currency, CFA franc countries will be obliged to hold domestic price inflation to a lower level in order to keep the real value of the CFA franc at a level consistent with the fixed exchange rate.

The fixed exchange rate between the CFA franc and the French franc has changed only once in the last fifty years, that being the fifty percent devaluation that occurred in January 1994. In general, the countries of the CFA zone will have to contend with increased uncertainty in the minds of investors until the transition to the Euro is complete. Private investors may be less willing to commit capital in these countries if they perceive increased risk of another devaluation because of the transition. The countries of the CFA zone can best instill confidence in their currency by rigorously holding to sound macroeconomic policies. The Government of France has taken great pains to reaffirm its commitment to the CFA franc zone and to allay the fears among African countries that the transition to the Euro might lead to a devaluation. French officials have voiced the opinion that economic fundamentals in the CFA zone do not now call for a devaluation. At the same time, some economic sectors in the zone have become less competitive since the onset of the Asian finan-

cial crisis, for example Gabon's forestry sector. Over time, there is clearly the possibility for adjustment in the CFA franc parity.

*Question 6.* Please outline the dimensions of Gabon's oil wealth. What U.S. companies are active in the Gabonese oil industry? What additional opportunities do you see for U.S. business in Gabon, whether in petroleum or in other sectors?

Answer. Gabon is presently the third largest oil producer in Africa, after Nigeria and Angola. It produces approximately 400,000 barrels of oil per day, or 18.5 million tons annually. The U.S. is Gabon's largest customer, purchasing \$2.2 billion in oil annually. Most observers believe Gabon's oil production has reached a plateau and may begin to decline within the next few years. Amerada Hess, ARCO, and Marathon are the main U.S. companies active in Gabon's oil industry.

Although ELF and Shell are the largest operators in the oil industry, American companies are becoming more active. However, the Government of Gabon is interested in diversifying its oil company partners, increasing its reserves, and exploring deep water potential, and this offers good opportunities to U.S. companies.

Air Gabon is considering replacing its aging (mostly Boeing) fleet in the near future and this represents an opportunity to the Boeing company (although the Airbus is offering stiff competition). Pratt and Whitney is interested in providing engines for any new aircraft acquisition (including Airbus). Sikorsky has been working on a helicopter sale for two years. There are also nascent plans to develop and build a regional aircraft servicing center in Franceville for Boeing 737s.

The telecommunications sector also offers opportunities for U.S. investors. Motorola, which is the main cellular supplier to Gabon's telecom operator, OPT, is close to closing a contract for expansion and conversion of cellular services to the GSM European standard. There is also potential for more U.S. business as the OPT seeks to privatize and the World Bank plan calls for a second operator.

*Question 7.* Gabon's tropical rain forest is a rich economic resource for Gabon, but it is also important to the global environment because of its bio-diversity and as a source of oxygen. What efforts are underway to conserve and protect Gabon's forest. What contribution, if any, is being made to these efforts by the United States?

Answer. There are several multilaterally and bilaterally-funded projects dealing with forest research and protection in Gabon. At Gabon's national park at Lope the European Union (EU) funds research of protected areas as part of a larger effort in the Congo basin. It also has a program for the training and sensitization of decision-makers relating to forest conservation and management. The World Bank is also involved in two projects. It endows the Government of Gabon with \$6-8 million per year to promote positive forest management. It also funds a larger regional project involving mapping and sharing information on forest issues. The headquarters for this regional project is Libreville.

The Dutch have a \$2 million effort in Gabon supporting the management of two protected areas. The U.S., through the USAID-funded regional CARPE program, is also supporting forest research and sound conservation and management practices, cooperating with most of the above-mentioned projects, as well as managing some of its own.

Taken together, approximately \$10-12 million is spent annually in Gabon in these programs designed to protect this important natural resource.

*Question 8.* In Congo Brazzaville, a neighbor of Gabon's, former military ruler Denis Sassou Nguesso seized power in October 1997, following a long internal conflict. What was Gabon's involvement, if any, in this conflict? What effect did the conflict have on Gabon? Please describe Gabon's current relations with Congo Brazzaville.

Answer. President Bongo tried to mediate a peaceful solution to the conflict. His mediation effort had the diplomatic backing of the U.S., UNSC, EU, and OAU. Aside from the influx of refugees, the conflict has had little effect on Gabon. The Government of Gabon has expressed concern that the Congo's unsettled political and economic situation has raised security concerns along the Gabon/Congo border. Current relations between the two countries can best be described as cordial.

*Question 9.* Please discuss Gabon's economic reform program. What progress has been made in privatizing state-owned enterprises? What opportunities, if any, has privatization opened for U.S. business?

Answer. The Government of Gabon (GOG) has expressed its commitment to the international financial institutions to complete its economic reform program. However, Gabon has slipped against its agreed-upon list of accomplishments with the IMF. Although there has been some progress (implementation of VAT and some reduction and regularization of import duties, for example), there have been delays in putting into place administrative reform, investment reform, and privatization of parastatals.

The only privatization to date has been the electricity and water company (SEEG), which was privatized by a long-term management concession in 1997. The French company, Compagnie Generale des Eaux (now Vivendi), in association with Electricity Supply Board International (ESBI) of Ireland, gained the management concession. The railroad (OCTRA) and telecommunications (OPT) companies are next in line for privatization by long-term management concession, but continue to face delays in implementation. The GOG expresses a desire to diversify its partners and gain U.S. investment, but French companies have much more experience, tradition, and interest in the Gabonese market. Aviation and telecommunications in particular offer potential for U.S. investors or exporters. Air Gabon, the rubber company (HEVEGAB), and the sugar company (SOSUHO) are other companies identified for privatization.

*Question 10.* Can you tell us how many other U.S. ambassadors are accredited to two countries? What criteria are used by the Department of State in determining whether dual accreditation is appropriate? Would you recommend dual accreditation as a means of achieving economies elsewhere in Africa, perhaps in the case of Senegal and Gambia, for example, or South Africa and Lesotho?

Answer. There are three ambassadors in Africa accredited to more than one country. In Yaounde, our ambassador is accredited to Equatorial Guinea. In Mauritius, our ambassador is accredited to the Comoros and Seychelles, and in Libreville our ambassador is accredited to Sao Tome and Principe.

The criterion used to determine dual accreditation is when there is no American presence in a country we recognize. It is extremely unfortunate that in the case of Equatorial Guinea, Comoros and Seychelles, post closures due to budgetary constraints have meant we needed to pick up accreditation from a neighboring country.

Dual accreditation as a means of achieving economies elsewhere in Africa could be considered if economics were the overriding factor. However, we have found that a "universal representation" and continued U.S. resident presence in African countries is critical to our ability to represent and advance U.S. interests there. Given the President's recent visit, commitments made and friendships forged, we project even greater demands on U.S. diplomacy in Africa. Having permanent U.S. resident presence, if even one officer, has given us the toe-hold so necessary in the Third World environment.

*Question 11.* How will you divide your time between Gabon on the one hand and Sao Tome and Principe on the other? Do you have any concern that Sao Tome, which seems to have the greater economic problems, might be neglected under the dual accreditation arrangement?

Answer. Officers from the Embassy in Libreville frequently visit Sao Tome and Principe (STP), traveling there on the average of once every five to six weeks. Stays are generally of 4-7 days in duration. Given STP's very small size, both in size and population, we have found that this allows us to adequately report on developments in the island nation and to sufficiently engage its leaders and represent our interests there.

*Question 12.* According to the Department of State's 1997 report on human rights practices in Sao Tome and Principe, "the economy is based on the export of a single product, cocoa, produced in an archaic state-run system of plantations...." Does the Sao Tome and Principe government have a program to introduce a more efficient system of production? Please explain. What progress has been made in economic reform in other sectors of the economy?

Answer. The economy of Sao Tome and Principe (STP) is almost exclusively based on the export of cocoa. Systematic nationalization of the plantations and declining cocoa prices have caused the economy to decline since independence. The Government of STP (GOSTP) has had an on-again/off-again relationship with international financial institutions (IFIs) and structural adjustment programs. Many of the cocoa plantations have been privatized by long-term management contracts or leases with foreign concerns. Under land reform programs, some of the plantation land has been redistributed. Production still remains well below the levels at independence.

The GOSTP has expressed its desire to privatize parastatals, reform import duties, and liberalize prices, but has made little progress. The Government has been unable to control spending and inflation. The policy of the U.S. Government will remain to urge the GOSTP to reach agreement with the IFIs, including restrictions on government spending, for a structural adjustment program in order to gain benefits under the Highly Indebted Poor Countries (HIPC) initiative.

*Question 13.* An August 1995 military mutiny in Sao Tome and Principe was resolved only when the President granted the mutineers an amnesty. To what degree, in your view, does the military pose a threat to democracy in Sao Tome and Principe?

Answer. Sao Tome and Principe's difficult economic condition and the lack of good governance pose a greater long-term threat to that island nation's political stability than the military. The military's concern about unpaid salaries, inadequate social services, and supplies are concerns echoed by the civil service and general population. The Government of Sao Tome and Principe needs to implement an aggressive structural adjustment program in concert with the donor community in order to address these concerns effectively. Unfortunately, the Government remains fractured along political party lines and seems unable to effect any sort of economic reform. Hopefully, legislative elections in October may provide the mandate to implement an economic program.

---

RESPONSES OF AMBASSADOR-DESIGNATE JAMES V. LEDESMA TO WRITTEN QUESTIONS

*Question 1.* Would you describe Gabon as a democratic nation? Please comment on the elections that have taken place in Gabon during the 1990s.

Gabon is scheduled to conduct presidential elections by the end of 1998. What preparations have been made for these elections? What electoral assistance, if any, is being provided by the U.S.?

Outside of the electoral process, how can the U.S. demonstrate support for Gabonese civil society?

Answer. Democracy in Gabon is a work in progress. Its presidential elections in 1993 were flawed. In 1994, President Omar Bongo accepted the Paris Accords, a series of political and electoral reforms designed to make Gabon multi-party. In 1996, Gabon witnessed municipal and legislative elections, with mixed results. In the municipal elections, opposition parties won the mayors' office in the country's two largest cities, but the legislative elections were conducted in an unsatisfactory manner. We are hopeful that the presidential elections scheduled for this December will be fair, transparent, and internationally recognized as legitimate.

The Gabonese Government (GOG) has stated that it will conduct transparent and open elections in December and has invited observers and electoral assistance from the international community, even offering funding for this purpose. The GOG has already constructed in Libreville a training center for election workers which will subsequently serve as a voter registration center for the Libreville and Owendo regions (Gabon's most populous area). Various opposition parties have held regional and national conventions in preparation for the December poll. currently there are four declared opposition candidates. Each of the numerous political party newspapers have been extolling the virtues of their candidate.

The U.S. Embassy in Libreville has been closely monitoring these political developments. Embassy officials have observed each of the major party conferences and have met with the leaders of Gabon's major (and some minor) political parties. They have also met with the leadership in the GOG (President, Vice President, Prime Minister, Ministers of Interior, Defense, Planning, Foreign Affairs, etc.). In each and every meeting, the U.S. message has been clear: Gabon's standing in the international community depends on a transparent and open electoral process.

This past May, the Embassy sent representatives from Gabon's two largest opposition parties on a USIA-funded International Visitor Program to examine the democratic process in the United States. However, the representative from the majority party dropped out of the program at the last minute.

In June, Ambassador Raspolic and Gabon's Minister of Interior signed an agreement in which the Embassy will provide African election monitors under a Democracy and Human Rights Fund project valued at \$87,000. The Embassy is currently in the process of selecting the Francophone African NGO who will manage the project. The Embassy is also in contact with other donors (Canada, France, Japan, EU, and UNDP) to explore ways to coordinate electoral assistance.

As Embassy and other Department officials have been doing, the U.S. can continue to support Gabonese civil society by sending carefully selected leaders to the U.S. under the International Visitor Program or other training programs to expose them to American democratic institutions and processes. Projects funded by the Democracy and Human Rights Fund will also advance our goals in this area. Moreover, while the Peace Corps' goal is not primarily to support democracy, its Women In Democracy program does offer support. We can also support Gabonese civil society by continuing to exhort its leaders at every opportunity to strive for transparency and fairness in the electoral process, as well as to open up the Gabonese economy and spread economic benefits more broadly among the Gabonese people.

*Question 2.* The State Department's most recent Human Rights Report for Gabon said that "the government of Gabon generally respected the rights of its citizens in many areas; however, longstanding human rights abuses continued." What is your assessment of the human rights situation in Gabon?

Answer. Gabon compares favorably to many of its neighbors in sub-Saharan Africa on human rights. Gabon enjoys freedom of speech and religion. Its constitution prohibits torture or cruel and inhuman punishment and it is not a conscious policy of the government to employ such practices. Nevertheless there are abuses by security forces: they mistreat prisoners and detainees either as punishment or to extract confessions. Also, prison conditions are abysmal. There is deep-seated societal discrimination against women and a tolerance of violence against them. Expatriate children are exploited as domestic and agricultural workers.

*Question 3.* If confirmed, you will be accredited to two countries. How will you divide your time between Gabon on the one hand and Sao Tome and Principe on the other? Do you have any concern that Sao Tome, which seems to have the greater economic problems, might be neglected under the dual accreditation arrangement?

Answer. Officers from the Embassy in Libreville frequently visit Sao Tome and Principe (STP), traveling there on the average of once every five to six weeks. Stays are generally of 4-7 days in duration. Given STP's very small size, both in size and population, we have found that this allows us to adequately report on developments in the island nation and to sufficiently engage its leaders and represent our interests there.

*Question 4.* The U.S. Agency for International Development does not have a development assistance program in Sao Tome and Principe. In your view, should there be an assistance program? Please explain.

Answer. Sao Tome and Principe (STP) is exceptionally poor and underdeveloped. In an ideal world, we would want to provide assistance to all such countries. However, under criteria used by USAID to determine which countries are most important to the U.S. and offer the highest potential for success, we are unable to provide aid to many countries which need it. USAID once did provide assistance to STP but, due to budget cuts, can no longer.

---

UNITED STATES DEPARTMENT OF STATE,  
WASHINGTON, D.C. 20520,  
*July 29, 1998.*

THE HON. JESSE HELMS,  
CHAIRMAN,  
COMMITTEE ON FOREIGN RELATIONS,  
UNITED STATES SENATE.

DEAR MR. CHAIRMAN:

Following the July 23, 1998 nomination hearing at which Ambassador-Designate Joseph H. Melrose, Jr., testified, additional questions were submitted for the record. Please find enclosed the responses to those questions.

If we can be of further assistance to you, please do not hesitate to contact us.

Sincerely,

BARBARA LARKIN,  
ASSISTANT SECRETARY,  
LEGISLATIVE AFFAIRS.

Enclosures: As stated.

RESPONSE OF AMBASSADOR-DESIGNATE JOSEPH H. MELROSE, JR., TO QUESTION  
ASKED BY SENATOR HELMS

*Question.* Are there indications that the government of Liberia is supporting the RUF forces in Sierra Leone?

Answer. Although there have been allegations of Liberian Support for the Revolutionary United Front (RUF), we have no proof that such support is being given. We nevertheless have raised this issue directly with President Taylor, who has categorically denied any official Government of Liberia support for the rebel forces. President Taylor and President Kabbah together met earlier this month in Abuja with the UN Secretary-General and Nigerian head of State Abubakar. They met again in Monrovia on July 20 in the presence of U.S. Special Envoy Jesse Jackson.

President Taylor agreed to make a public statement condemning the atrocities and continued fighting in Sierra Leone. He and President Kabbah reaffirmed their commitment of non-aggression, and agreed to work to halt the flow of arms into Sierra Leone in contravention of UN sanctions. Also, President Taylor agreed to the placement of ECOMOG and international observers along the border to monitor cross-border arms flows.

---

RESPONSES OF AMBASSADOR-DESIGNATE JOSEPH H. MELROSE, JR. TO QUESTIONS  
ASKED BY SENATOR HELMS AND SENATOR ASHCROFT

*Question 1.* Sierra Leone came to independence in 1961 with a rich resource endowment and a strong civil society, including many well-educated civil servants, teachers, and church leaders. How did this country sink into the state of lawlessness and violence, including horrible incidents of brutality against civilians, seen in recent years? To what degree, if any, was tribalism a factor? What lessons does Sierra Leone teach about the role of militaries in African politics? How high are the risks of another coup?

Answer. After its independence in 1961, Sierra Leone was left in a state of political confusion due to the inexperience of the country's new political institutions and leaders. After his death, the first Prime Minister, Sir Milton Margai, was followed by his younger brother after his death in 1964. The government under Albert Margai fostered corruption and moved toward a one-party state. In a flawed election in 1967, Albert Margai and Siaka Stevens faced off. After a short period of great political conflict, Margai was deposed by a military coup. In 1968, a counter coup by



a warrant officer brought Stevens to power. He then ruled for seventeen years in an increasingly corrupt government. In 1985 Stevens handed power to the military Force Commander, Major General Joseph Saidu Momoh, a move which garnered public support. This enthusiasm was misplaced, and faded as Momoh perpetuated the corrupt regime. In 1990 Momoh attempted to introduce multi-party democracy. Most of the parties that appeared, however, were led by corrupt former Ministers attempting to maintain their wealth.

The planned 1992 elections never came to fruition. Momoh had become involved in ECOMOG efforts to intervene in Liberia's civil war. In retaliation, Liberian faction leader Charles Taylor supported an insurgency by the Revolutionary United Front (RUF) against the Government of Sierra Leone. Momoh was forced to recruit untrained, unsupported troops quickly to combat the Liberian rebels. In April 1992, young military officers overthrew the Momoh regime and installed Captain Valentine Strasser as the Chairman of the National Provisional Ruling Council (PRC). Once again, the new government fell short of Sierra Leoneans' expectations. The NPRC rule turned into anarchy as young soldiers turned to looting and pillaging in towns and villages. The citizens of Sierra Leone stood up to both the soldiers and guerrillas and demanded elections. With election support from the international community, Sierra Leone chose in 1996 Ahmed Tejan Kabbah as the first democratically-elected civilian president in three decades.

In May of 1997 the army temporarily seized power and invited the RUF to join them in a military junta. West African peacekeeping troops restored President Kabbah to power in May 1998, but the rebels continue to terrorize Sierra Leone. The conflict is not tribally motivated. Rather, factions and rebel leaders with nebulous political goals are motivated by the desire to control Sierra Leone's tremendous mineral and agricultural resources.

The lesson that this situation carries for the Government reaches back to the precedent of Momoh. Without adequate training, logistical or medical support, or proper compensation, the military will become unstable and wreak havoc on the community it is intended to protect.

The risk of a coup stemming from within the Sierra Leonean military at the present time is slight. The present instability in the country does pose security concerns and it is possible that a coup could arise from another source. Support for President Kabbah is strong both within Sierra Leone and from the international community; and it is unlikely that an attempt to seize power would be successful while ECOMOG troops are providing security in Freetown.

*Question 2.* What contribution, if any, did Executive Outcomes, the South African security firm, make toward political stabilization and the democratic transition during the Strasser era? In your view, is there a legitimate role for such firms when African governments are facing security problems, or is it a mistake to turn to them? Was President Kabbah correct to agree to dismiss Executive Outcomes in 1996?

*Answer.* Executive Outcomes was critical in providing security and a stable political environment so that the democratic transition could take place. There may be a need for third party involvement in countries without well maintained and disciplined military forces. Such intervention can serve to monitor and to train and equip the military to ensure their functional and supportive role in governing. Whether that third party intervention should come from another nation, an international organization, or from a private security firm is a decision that must be made on a case-by-case basis depending upon the situation. The United States as well as the international community supported President Kabbah's decision to dismiss Executive Outcomes in 1996 in accordance with the Abidjan Peace Accord between the Government of Sierra Leone and the RUF.

*Question 3.* Press reports indicate that Executive Outcomes and other mercenaries have been granted mining concessions in Sierra Leone in exchange for their services. Can you confirm this? Are any such concessions still active? Are they likely to have positive or negative consequences for Sierra Leone's economy?

*Answer.* Because the Government did not have access to funds to fully compensate the mercenary and security forces that had been hired, certain mining concessions were granted in lieu of monetary payments. We cannot confirm whether these concessions are still active. Sierra Leone's economic growth and prosperity will depend, in part, on the rational use of its mineral resources. Hopefully, these resources will generate revenues and employment to the benefit of the Government and people of Sierra Leone.

*Question 4.* What are the principal interests of the United States in Sierra Leone? How will you promote these interests? What messages will you take to Sierra Leone's leaders with respect to their country's relations with the United States?

Answer. The United States has several important interests in Sierra Leone: humanitarian, regional stability, and democracy. We are very concerned about the humanitarian crisis and face a compelling moral imperative to respond. We also have a strong interest in promoting stability in Sierra Leone to encourage an enabling environment for democratization, respect for human rights, economic growth and development. Finally, the benefits of a stable Sierra Leone are tangible in terms of an export market and direct U.S. investment in resources, specifically diamonds and rutile.

We will continue to provide humanitarian assistance and non-lethal logistical support to promote our interests. My message to Sierra Leonean leaders, if confirmed, will be one of support for their efforts to work toward ending the humanitarian crisis, conflict resolution, and reconciliation.

*Question 5.* Why did Nigeria, a country with a military government, decide to take the lead in ousting the AFRC and restoring President Kabbah's democratically-elected government in Sierra Leone? What is your assessment of the performance of the Nigerian troops? Have they been militarily effective? Have they respected the rights of civilians?

Answer. Nigeria is the driving force behind ECOMOG, the peacekeeping arm of the Economic Community of West African States (ECOWAS). ECOMOG was instrumental in restoring peace to Liberia and returning President Kabbah of Sierra Leone to power. The Nigerians have a strong interest in maintaining regional security and stability, which are clearly jeopardized by the crisis in Sierra Leone. The majority of the ECOMOG troops now in Sierra Leone are Nigerian soldiers. They are supported by contingents from Ghana, Guinea, and The Gambia.

The United States commends the Nigerian-led forces for their success and bravery in combating the rebels in Sierra Leone. Their efforts have kept the country from descending into total chaos. The restraints of ECOMOG's effectiveness lie in limited strength, mobility, and logistics. An increase in international support is needed to provide ECOMOG with the resources needed to oust the rebel forces.

*Question 6.* Now that Nigeria has plunged into a political crisis of its own, will its mission in Sierra Leone be weakened? Please explain.

Answer. The unexpected death of General Sani Abacha brought General Abdulsalam Abubakar to power as the Head of State of Nigeria. General Abubakar supports ECOMOG and its mission to promote regional stability. Nigeria's involvement in Sierra Leone is manifested primarily through ECOMOG, and its efforts to bring about peace have remained constant throughout the political transition. Abubakar has been a supporter of the peacekeeping mission in Sierra Leone before he assumed power, serving as the link between the Nigerian military and the ECOMOG Force Commander. Abubakar has continued to promote the peace process, and he hosted a July 2 meeting between UN Secretary-General Annan, President Kabbah, and Liberian President Taylor to promote transparency in Sierra Leonean-Liberian relations and cooperation between the two leaders.

*Question 7.* Questions have been raised in Britain about the role of a security firm, Sandline International, in assisting forces loyal to President Kabbah after the 1997 coup, possibly in violation of a United Nations embargo on arms shipments to Sierra Leone. Please outline the issues and the evidence in this controversy. To what degree, if any, was the United States aware of Sandline's activities?

Answer. Sandline International is a British private security firm that provides security for commercial mining and construction interests in Sierra Leone. In May of this year, United Kingdom Customs initiated an investigation to determine whether or not Sandline had violated the UN arms embargo by shipping small arms to BCOMOG and/or the Civilian Defense Force, which was providing resistance to the military junta. Sandline maintained that Foreign and Commonwealth Office officials gave verbal support of their actions.

Sandline officials were among the few expatriates who remained in Sierra Leone after the coup, and their representatives occasionally met with working-level State Department officers to discuss events in the Sierra Leonean countryside, including the dire humanitarian situation and gross human rights abuses by the junta. The Department of State did not have advance knowledge of, implicitly or explicitly approve Sandline activities in Sierra Leone.

*Question 8.* Please describe the assistance being provided by the United States to assist Sierra Leone now that the democratically-elected government of President Kabbah has been restored.

Answer. The United States is Sierra Leone's largest bilateral donor. The most pressing need in Sierra Leone is stability. We have provided \$3.9 million in non-lethal logistical support to improve ECOMOG's operational capability, primarily by providing transportation and communications equipment. We are providing over \$50 million in humanitarian assistance during Fiscal Year 1998. This assistance is like-

ly to continue during FY 99 at a similar level. The Assistant Secretary for Population, Refugees, and Migration, Julia Taft, recently led a mission to Sierra Leone and Guinea. Her Bureau has funded \$19.5 million in relief funds to many humanitarian organizations for Sierra Leonean refugees, and continues in its efforts to publicize the crisis. USAID's Food For Peace program is providing 49,570 metric tons of food assistance, valued at \$34.5 million for refugees, internally displaced persons, and other vulnerable groups. USAID's Office of Foreign Disaster Assistance has provided \$6.8 million for emergency relief and is funding a helicopter to airlift mutilation victims to medical facilities. The Department of Defense has provided urgently needed medical supplies.

*Question 9.* What is the current security situation in Sierra Leone? Where are rebels still active? Are the mining regions now firmly under control?

Answer. The rebels are still active in many parts of Sierra Leone. Attacks are heaviest in the north and the east, although RUF and ex-junta forces are operating in north-western and central parts of the country as well. Two dozen RUF fighters, mostly between the ages of 10-14, were recently captured outside of Freetown foraging for food and water. ECOMOG is attempting to secure the mining areas. The majority of the mines is in the east of the country, which is the RUF's traditional stronghold.

*Question 10.* The AFRC/RUF alliance has been widely accused of atrocities and other human rights violations during its struggle to hold onto power in Sierra Leone. In your view, are these accusations justified? What measures are being taken to bring those guilty of atrocities to trial?

Answer. The atrocities committed by the AFRC/RUF have been confirmed by UN officials, NGOs, and USG officials. The United States and the international community have condemned the actions of the rebels. The remnants of the junta continue to murder, maim, and mutilate innocent civilians, including children as young as five years old. The terrible human rights violations committed in Sierra Leone are among the worst on the continent.

The Department of State urges that those responsible for conceiving, planning, and ordering the horrible atrocities committed by the rebel forces be brought to justice for their actions. ECOMOG forces are doing their utmost to capture the rebel forces so that those responsible can be held and tried for their actions under Sierra Leonean law.

Foday Sankoh, the RUF leader who had been in detention in Nigeria, was recently released to the custody of the Sierra Leonean Government.

*Question 11.* What information do you have on the whereabouts of Johnny Paul Koroma, leader of the ousted AFRC? What efforts are underway to capture him?

Answer. Johnny Paul Koroma's whereabouts are not known. There are numerous conflicting rumors about his movements. ECOMOG forces continue in their efforts to locate and capture RUF and AFRC guerrillas and their leadership, including Johnny Paul Koroma.

*Question 12.* What is the current humanitarian situation in Sierra Leone? Are large numbers of people displaced by the conflict? What problems are being faced by refugees from Sierra Leone? How are donors of relief and refugee assistance, including the United States, responding?

Answer. Sierra Leone is in the midst of a humanitarian crisis because of the ruthless attacks of the former Armed Forces Revolutionary Council/Revolutionary United Front (AFRC/RUF) junta. More than 300,000 refugees have fled into Guinea or Liberia this year, and there are tens of thousands of internally displaced persons. More than 1,000 mutilation victims have been treated, including women and children as young as five years old. Victims have had arms, hands, legs, ears, and other body parts amputated. Attackers sometimes pin notes to the victims' bodies detailing future targets. The actual numbers of victims is suspected to be much higher, as many are presumed unable to reach the hospitals for treatment, and their whereabouts and conditions remain largely unknown.

The 230,000-250,000 Sierra Leonean refugees in Guinea join 130,000 Liberian refugees who have remained there since the end of the civil war in Liberia. Resources are scarce in poverty stricken Guinea, and the refugees there are already showing signs of malnutrition. Access to food is difficult. A lack of sanitation also presents the threat of epidemic disease.

In Sierra Leone itself, the civil war has disrupted the planting season and depleted already short supplies of food. The harvest may be 40 percent less than last year, and displaced persons, particularly children are severely malnourished. Some camps in Sierra Leone, Liberia, and Guinea are already unreachable due to heavy rains.

*Question 13.* In early July 1998, President Ahmed Tejan Kabbah was reported to be in Libya with other African Presidents and U.S. Muslim leader Louis Farrakhan,

to attend special Islamic prayers led by Libyan leader Muammar al-Qadhafi. Why did President Kabbah participate in these ceremonies? Did his presence in Libya herald the emergence of a Libyan alliance with Sierra Leone? To your knowledge, did President Kabbah travel to or from Libya by air, in violation of United Nations sanctions against Libya?

Answer. President Kabbah traveled to Libya to appeal to Qadhafi, as a fellow Muslim, to end external support for the rebels. His presence in Libya did not in any way presage the emergence of a Libyan alliance with Sierra Leone. To our knowledge, President Kabbah did not violate UN sanctions.

*Question 14.* At its June 1998 summit, the OAU voted to ease African participation in the United Nations sanctions against Libya. How exactly will African participation in the sanctions be modified? How did Sierra Leone vote on this issue? Has the United States expressed its displeasure to Sierra Leone? Please explain.

Answer. We are uncertain about how the African participation in the UN sanctions will be modified. The international community has expressed concern over the issue, as any breach of the terms of the sanctions against Libya goes against the authority of the United Nations itself. We are unsure how Sierra Leone voted on the issue. The United States did not explicitly express its displeasure to the Government of Sierra Leone as operations at Embassy Freetown were suspended at that time.

*Question 15.* According to Reuters, Sierra Leone police raided the offices of three newspapers on July 2, 1998, and arrested two editors. What were the reasons for this move? What is the overall record of the Kabbah government in respecting human rights, including the right to free speech?

Answer. The Sierra Leonean Government's justification for the raid on the offices of the three newspapers, is unclear.

Answer. Overall, the record of the Kabbah Government towards human rights has been very good. President Kabbah has made the human rights of his people a major priority. In the midst of the current crisis, there have been instances of certain violations. The United States has frowned upon these infractions and does not condone them in any way.

*Question 16.* The United Nations has deployed a small mission to Sierra Leone to assist in the peace process. What exactly are the functions of this mission? How large is it? How much is it costing? What share of the expenses of the mission are being borne by the United States?

Answer. The primary objective of UNOMSIL, the UN Peacekeeping Mission to Sierra Leone, is to monitor the disarmament and demobilization of former combatants. Disarmament and demobilization will begin with those individuals of the AFRC/RUF junta, estimated at 7,000, who have surrendered. It will also focus on members of local civilian militias whose home villages are now secure. ECOMOG troops, under UNOMSIL oversight, will be responsible for disarming and demobilizing the former combatants. The World Bank is developing a combination of individual assistance and community-based development projects to help the ex-combatants re-integrate into civilian society. UNOMSIL will be under the authority of the Secretary-General's Special Representative, which has additional responsibilities for advising the Government of Sierra Leone on restructuring the police force in accordance with international standards for policing democratic societies and reporting on violations of international humanitarian law and human rights.

UNOMSIL is authorized up to 70 military observers with supporting civilian staff. However, we expect that about 40 military observers will be deployed initially, with the remainder deployed only as security conditions permit.

Our Mission in New York worked closely with the UN's Department of Peacekeeping to identify cost savings in UNOMSIL's budget. The UN now estimates that the operation will cost \$15.3 million for its initial six-month mandate. This is reduced from the original UN estimates of \$18.3 million. The United States will provide \$3.8 million for UNOMSIL.

---

RESPONSES OF AMBASSADOR-DESIGNATE JOSEPH H. MELROSE TO QUESTIONS ASKED  
BY SENATOR FEINGOLD

*Question 1.* The U.S. recently obligated \$3.9 million in logistical and communications support for ECOMOG in Sierra Leone. How can the U.S. ensure that ECOMOG incorporates respect for international humanitarian law into its conduct

toward civilians and as a component of its training of the new Sierra Leonean military?

Answer. The United States is Sierra Leone's largest bilateral donor. The most pressing need in Sierra Leone is stability. We have provided \$3.9 million in non-lethal logistical support to improve ECOMOG's operational capability, primarily by providing transportation and communications equipment. We are providing over \$50 million in humanitarian assistance during Fiscal Year 1998.

The United States continues to encourage ECOMOG to incorporate respect for international humanitarian law into its conduct toward civilians. ECOMOG forces have been commended by the United States and the international community for their efforts toward restoring peace in Sierra Leone. The aim of ECOMOG's troops is to preserve international humanitarian law, to protect innocent civilians and to support the democratically-elected government of President Kabbah. The United States has also strongly encouraged the training of the new Sierra Leone military by a third party.

*Question 2.* The Liberian-Sierra Leone border is notoriously porous, and there have been many reports that the AFRC/RUF forces have been getting supplies and assistance from the Liberian side of the border. What can the U.S. do to effectively pressure the government of Charles Taylor to prevent Liberian territory from being used to assist the AFRC/RUF?

Answer. We have raised the allegations about Liberian support for the insurgency directly with President Taylor, who has categorically denied any official Government of Liberia support for the rebel forces. President Taylor and President Kabbah together met earlier this month in Abuja with the UN Secretary-General and Nigerian Head of State Abubakar. They met again in Monrovia on July 20 in the presence of U.S. Special Envoy Jesse Jackson.

President Taylor agreed to make a public statement condemning the atrocities and continued fighting in Sierra Leone. He and President Kabbah reaffirmed their commitment of non-aggression, and agreed to work to halt the flow of arms into Sierra Leone in contravention of UN sanctions. Also, President Taylor agreed to the placement of ECOMOG and international observers along the border to monitor cross-border arms flows.

The United States has maintained a steady dialogue with Liberian President Taylor on Sierra Leone. We have been in the forefront encouraging cooperation between the two Presidents. The meeting in Monrovia and the joint communique that was produced are positive proof that the United States has taken an active role in preventing the use of Liberian forces to support the rebels in Sierra Leone.

*Question 3.* Why did Nigeria, a country with a military government, decide to take the lead in ousting the AFRC and restoring President Kabbah's democratically-elected government in Sierra Leone? What is your assessment of the performance of Nigerian troops? Have they been militarily effective? Have they represented the rights of civilians?

Answer. Nigeria is the driving force behind ECOMOG, the peacekeeping arm of the Economic Community of West African States (ECOWAS). ECOMOG was instrumental in restoring peace to Liberia and returning President Kabbah of Sierra Leone to power. The Nigerians have a strong interest in maintaining regional security and stability, which are clearly jeopardized by the crisis in Sierra Leone. The majority of the ECOMOG troops now in Sierra Leone are Nigerian soldiers. They are supported by contingents from Ghana, Guinea, and The Gambia.

The United States commends the Nigerian-led forces for their success and bravery in combating the rebels in Sierra Leone. Their efforts have kept the country from descending into total chaos. The restraints of ECOMOG's effectiveness lie in limited strength, mobility, and logistics. An increase in international support is needed to provide ECOMOG with the resources needed to oust the rebel forces.

*Question 4.* Now that Nigeria has plunged into a political crisis of its own, will its mission in Sierra Leone be weakened? Please explain.

Answer. The unexpected death of General Sani Abacha brought General Abdulsalam Abubakar to power as the Head of State of Nigeria. General Abubakar supports ECOMOG and its mission to promote regional stability. Nigeria's involvement in Sierra Leone is manifested primarily through ECOMOG, and its efforts to bring about peace have remained constant throughout the political transition. Abubakar was a supporter of the peacekeeping mission in Sierra Leone before he assumed power, serving as the link between the Nigerian military aid the ECOMOG Force Commander. Abubakar has continued to promote the peace process, and he hosted a July 2 meeting between UN Secretary-General Annan, President Kabbah, and Liberian President Taylor to promote transparency in Sierra Leonean-Liberian relations and cooperation between the two leaders.

*Question 5.* What are the principal interests of the United States in Sierra Leone? How will you promote these interests? What messages will you take to Sierra Leone's leaders with respect to their country's relations with the U.S.? To what extent is the U.S. pursuing Nigeria-related goals in Sierra Leone? How do U.S.-Liberian relations fit into the picture?

Answer. The United States has several important interests in Sierra Leone: humanitarian, regional stability, and democracy. We are very concerned about the humanitarian crisis and face a compelling moral imperative to respond. We also have a strong interest in promoting stability in Sierra Leone to encourage an enabling environment for democratization, respect for human rights, economic growth and development. Finally, the benefits of a stable Sierra Leone are tangible in terms of an export market and direct U.S. investment in resources, specifically diamonds and rutile.

We will continue to provide humanitarian assistance and non-lethal logistical support to promote our interests. My message to Sierra Leonean leaders, if confirmed, will be one of support for their efforts to work toward ending the humanitarian crisis, conflict-resolution, and reconciliation.

The United States has also continued to pursue aims in Sierra Leone through relations with Liberia and Nigeria. The U.S. Government commends and supports ECOMOG the regional peacekeeping force that is manned, lead, and supported primarily by Nigerians. We have provided \$3.9 million in non-lethal logistical support to ECOMOG.

United States and Nigerian interests converge with regard to the promotion of peace and stability in Sierra Leone.

The United States has also encouraged the Government of Liberia to support President Kabbah and to use its influence to bring a close to the conflict in Sierra Leone. Most recently, Liberian President Taylor and President Kabbah met in Monrovia at the request of U.S. Special Envoy Jesse Jackson and reaffirmed Liberian support for the democratically-elected government in Sierra Leone.

*Question 6.* The AFRC/RUF alliance has been widely accused of atrocities and other human rights violations during its struggle to hold onto power in Sierra Leone? In your view, are these accusations justified? What measures are being taken to bring those accused to justice? What is your assessment of the judicial system in Sierra Leone? What is the U.S. doing to reinforce the Sierra Leonean judiciary and the rule of law in the country? How would you envision the embassy working to support civil society in Sierra Leone?

Answer. The atrocities committed by the AFRC/RUF have been confirmed by UN officials, NGOs, and USG officials. The United States and the international community have condemned the actions of the rebels. Nevertheless, the remnants of the junta continue to murder, maim, and mutilate innocent civilians, including children as young as five years old. The terrible human rights violations committed in Sierra Leone are among the worst on the continent.

The Department of State supports the efforts of the Government of Sierra Leone to bring those responsible for conceiving, planning, and ordering the horrible atrocities to justice for their actions. ECOMOG forces are doing their utmost to capture the rebel forces so that those responsible can be held and tried for their actions under Sierra Leonean law.

Foday Sankoh, the RUF leader who had been in detention in Nigeria, was recently released to the custody of the Sierra Leonean Government.

The judicial system in Sierra Leone is severely challenged by the current crisis. The majority of Third World countries have judicial systems strained by few resources and adequately trained personnel. The Sierra Leone judiciary is no exception and the problems are compounded by the current crisis. Many judges and lawyers have either fled the country or were killed in the coup and ensuing chaos. Those that remain staff a system that is extremely short of funds and lacking in even basic supplies. Despite the formidable challenges, the Sierra Leonean judicial system has made all attempts to ensure that its proceedings are fair and unbiased. An appeal has been sent to the British asking for judges to aid in trying cases.

If confirmed, I will work to support civil society in Sierra Leone through Embassy self-help projects and USAID-funded activities.

*Question 7.* The United Nations has deployed a small observer mission in Sierra Leone to assist in the peace process. What exactly are the functions of this mission? How large is it, and what share of the expenses of the mission are being borne by the United States. How can the U.S. ensure that the human rights component of the mission is fully integrated into its work?

Answer. The primary objective of UNOMSIL, the UN Peacekeeping Mission to Sierra Leone, is to monitor the disarmament and demobilization of former combatants. Disarmament and demobilization will begin with those individuals of the

AFRC/RUF junta, estimated at 7,000, who have surrendered. It will also focus on members of local civilian militias whose home villages are now secure. ECOMOG troops, under UNOMSIL oversight, will be responsible for disarming and demobilizing the former combatants. The World Bank is developing a combination of individual assistance and community-based development projects to help the ex-combatants re-integrate into civilian society. UNOMSIL will be under the authority of the Secretary-General's Special Representative, which has additional responsibilities for advising the Government of Sierra Leone on restructuring the police force in accordance with international standards for policing democratic societies and reporting on violations of international humanitarian law and human rights.

UNOMSIL is authorized up to 70 military observers with supporting civilian staff. However, we expect that about 40 military observers will be deployed initially, with the remainder deployed only as security conditions permit. The mission in Sierra Leone also provides for the international observers to monitor the practices of all parties with respect to human rights.

Answer. Our Mission in New York worked closely with the UN's Department of Peacekeeping to identify cost savings in UNOMSIL's budget. The UN now estimates that the operation will cost \$15.3 million for its initial six-month mandate. This is reduced from the original UN estimates of \$18.3 million. The United States will provide \$3.8 million for UNOMSIL.

---

UNITED STATES DEPARTMENT OF STATE,  
WASHINGTON, D.C. 20520,  
*July 29, 1998.*

THE HON. JESSE HELMS,  
CHAIRMAN,  
COMMITTEE ON FOREIGN RELATIONS,  
UNITED STATES SENATE.

DEAR MR. CHAIRMAN:

Following the July 23, 1998 nomination hearing at which Ambassador-Designate George Mu testified, additional questions were submitted for the record. Please find enclosed the responses to those questions.

If we can be of further assistance to you, please do not hesitate to contact us.

Sincerely,

BARBARA LARKIN,  
ASSISTANT SECRETARY,  
LEGISLATIVE AFFAIRS.

Enclosures: As stated.

RESPONSES OF AMBASSADOR-DESIGNATE GEORGE MU QUESTIONS ASKED BY SENATOR  
HELMS AND SENATOR ASHCROFT

*Question 1.* Please discuss the place of the late President Felix Houphouet-Boigny in the history of Cote d'Ivoire. What were his principal contributions? What were his shortcomings?

Answer. Felix Houphouet-Boigny led Cote d'Ivoire to independence from France on December 7, 1960. He largely put into place the state institutions which governed Cote d'Ivoire until his death in 1993, creating a virtual one-party state with himself at the head. Houphouet-Boigny is still viewed today as the Father of the state of Cote d'Ivoire. Perhaps his greatest contribution was in molding a unified state out of numerous diverse ethnic groups, many of which had historically been in conflict with one another. In addition, Houphouet-Boigny kept Cote d'Ivoire firmly oriented towards the West in its foreign policy, although he often pursued less than ideal economic policies. Houphouet-Boigny can also be credited with establishing the framework for a peaceful transition of power upon his death.

In spite of his historical importance, Houphouet-Boigny had some shortcomings. He fell short of developing democratic rule, often acting in accordance with the "l'etat est moi" school of thought. He prevented the development of any political opposition, often imprisoning those whose beliefs differed from his own. He failed to institute basic freedoms, such as freedom of speech, the press, association, and assembly. In the economic arena, Houphouet-Boigny allowed the creation of large state owned enterprises, plantations, and marketing boards. He used the profits from these enterprises and at times money directly from the state budget for large prestigious building projects with no apparent development benefits for the majority of the population. Houphouet-Boigny also allowed the accumulation of a foreign debt well beyond Cote d'Ivoire's means and refused to devalue the CFA Franc, long after such action appeared critical.

*Question 2.* President Houphouet-Boigny was noted for the grand—some would say grandiose—construction projects he undertook, such as the building of the vast Basilica of Our Lady of Peace in his home village, Yamoussoukro. Does the current President, Henri Konan Bedie, show any tendencies along these lines? Please explain.

Answer. President Bedie has shown no tendencies along these lines and has followed a rather disciplined fiscal policy in accordance with IMF and World Bank recommendations.

*Question 3.* Alassane Ouattara, the former prime minister and author of Cote d'Ivoire's successful economic reforms, was disqualified from contesting the 1995 presidential election, which was won by Bedie. What were the grounds for his disqualification? In your view, was his disqualification justified?



Answer. Clauses in Cote d'Ivoire's electoral code required that presidential candidates' parents be natural born Ivorians. Ouattara's mother is believed to have been born in southern Burkina Faso. If this is correct, Ouattara's disqualification would be in accordance with Ivorian law. However, if confirmed, I would encourage the Ivorian government to reexamine this requirement with a view towards allowing full participation by all opposition parties in the 2000 presidential elections.

*Question 4.* Has the Cote d'Ivoire government made any move toward disqualifying Ouattara from the election scheduled for 2000? As Ambassador, would you advise the Bedie government to refrain from such a move. Please explain.

Answer. On June 30, the Cote d'Ivoire Government passed Constitutional revisions codifying the electoral code requirement that a presidential candidates' parents both be natural born Ivorians. This requirement will likely disqualify Ouattara from the 2000 presidential elections. We believe that this provision should be applied prospectively, and I would advise the Government to allow for the full participation of all opposition parties and candidates. As Ouattara is a leading opposition candidate, his inability to participate could discredit the 2000 elections and damage Cote d'Ivoire's democratic transition.

*Question 5.* France has long maintained a small military garrison near the Abidjan airport. What contribution has this French presence made to political stability in Cote d'Ivoire? The current Socialist Party government in France is scaling back on French commitments in Africa. What effect is this policy having on the French military role in Cote d'Ivoire?

Answer. The role of France in West Africa has been critical to overall political and economic stability, especially in its ex-colonies. While French military presence in the region, and in Cote d'Ivoire specifically, has been an important element in this equation, French commercial presence and political influence have been more important. The changes underway in France's Africa policy with relation to military presence have had no repercussion, thus far, in Cote d'Ivoire. We would expect the French garrison to remain at or near current strength.

*Question 6.* Please outline the political orientations and main policy positions of the three major political parties in Cote d'Ivoire: Bedie's Democratic Party of Cote d'Ivoire (PDCI); the Ivorian Political Front (FPI), headed by Laurent Gbagbo; and the Rally of Republicans (RDR), which is loyal to Ouattara.

Answer. While the FPI is a member of the Socialist International, and the PDCI and RDR are more conservative leaning parties, ideology and party platforms have not formed the essence of political activity in Cote d'Ivoire. Instead, much of the political competition has revolved around personalities and regional loyalties.

*Question 7.* To what degree does the political party alignment in Cote d'Ivoire reflect ethnic, religious, or regional divisions in society? In your view, do these divisions threaten the political stability of Cote d'Ivoire? How successful has President Bedie been in surmounting these divisions and building a sense of national unity?

Answer. As in most of Africa, ethnic allegiances and religious differences do play an important role in the political life of Cote d'Ivoire. The FPI's base is in areas mainly populated by the Bete ethnic group, a sub-group of the Krou family. The RDR's best electoral showing has been in the north of the country among the Mandingo and parts of the area populated by the Senoufou. The PDCI, which has been in existence since before independence, is well represented throughout the country, but has very strong roots in the Akan ethnic areas. Compared to other countries in the region, tribal and religious differences are not now factors of instability. President Bedie is aware of the potential for instability which tribal and religious differences portend. He has tried to bring balance to the composition of his Government and to the distribution of resources throughout the country, although not to the satisfaction of all concerned. On balance, Cote d'Ivoire is one of the most stable and progressive countries in the sub-region.

*Question 8.* President Bedie refers to Cote d'Ivoire as an "African elephant," which he hopes will one day attain rates of growth comparable to those once seen in the countries called "Asian tigers." Please describe Cote d'Ivoire's economic growth strategy. Does it show any of the weaknesses that are now causing so much difficulty for the former Asian tigers?

Answer. Cote d'Ivoire is following an ambitious program of market-led growth. At present, its growth is primarily fueled by privatizations of state owned companies and export of primary commodity products. This is complemented by government attempts to attract foreign investment in Cote d'Ivoire. In my view, the Asian Tigers' primary problem was over-capacity and over-building of the manufacturing for export sector and non-transparency in the banking sector. Cote d'Ivoire has yet to develop either an export manufacturing base or an international banking sector.

*Question 9.* Please describe the progress made in Cote d'Ivoire's privatization program. What opportunities, if any, has this program opened for U.S. investors?

Answer. By the end of 1997, proceeds from the sales of shares in privatized companies reached 240.5 billion Franc CFA with an additional 17 projects yet to be finalized. On February 4, 1998, the Council of Ministers published a list of companies that the Ivorian Government plans to privatize by the year 2000. In 1998, there are twenty companies scheduled to be privatized including companies in oil exploration, production and sales; mining; textiles; agro-industry; radio and television; and telecommunications. This program will open opportunities for U.S. firms to invest in any or all of these sectors.

*Question 10.* What are the best opportunities for U.S. exporters and investors in Cote d'Ivoire's expanding economy?

Answer. U.S. exporters hold comparative advantages in the sale of farm equipment, fertilizers, processed foodstuffs, cosmetics, vehicles and apparel. Many are already exporting these products to Cote d'Ivoire. U.S. investors have found and continue to find opportunities in the petroleum, natural gas, telecommunications, power generation, and agricultural processing sectors.

*Question 11.* French business people have long enjoyed a strong advantage in trade and investment in Cote d'Ivoire. How effectively are American firms able to compete with the French in Cote d'Ivoire today? As Ambassador, how could you help to open opportunities for U.S. business?

Answer. Cote d'Ivoire's business laws continue to be modeled on the French and the language of business is decidedly French. Aside from these de facto advantages, there are no longer any legal advantages to French investors in Cote d'Ivoire. However, a lack of transparency in awarding government contracts and an inadequate judicial system continue to act in favor of the French. As Ambassador, I will encourage the Ivorian government to reform their court system to free it from political influence and will stress to them the importance of full transparency in business dealings. In addition, I will continue to push the Ivorians on market reforms to ensure that a climate favorable to U.S. investors is created.

*Question 12.* Please describe Cote d'Ivoire's petroleum and natural gas sector and assess prospects for increased production in the years ahead. What role are U.S. firms playing in developing this sector?

Answer. Cote d'Ivoire has sufficient petroleum and natural gas reserves to meet domestic demand and is able to export limited quantities to its neighbors—Ghana, Togo and Benin. With increased production likely in the coming years, it will be able to meet increased domestic demand and export additional amounts to neighboring West African countries. U.S. firms are actively involved in this sector both in production and in the provision of equipment and technical expertise. It is likely that this involvement will continue to grow.

*Question 13.* Cote d'Ivoire has borne a large burden of foreign debt for many years. What is the scale of this debt today? On a per capita basis, how does Cote d'Ivoire's debt compare with the debt of other heavily indebted countries?

Answer. Cote d'Ivoire currently has a foreign debt of around \$19 billion. On a per capita basis, Cote d'Ivoire is one of the more highly indebted countries.

*Question 14.* Please discuss the progress that has been made in forgiving or rescheduling Cote d'Ivoire's debt. Has Cote d'Ivoire been unusually successful in winning debt forgiveness? If so, please explain why.

Answer. Foreign debt has continued to slow Cote d'Ivoire's progress. Not until 1998 was agreement reached with the London Club on commercial debt payments, suspended since 1987. Under the agreement, Cote d'Ivoire will receive debt forgiveness exceeding \$4 billion. 1998 also brought a new agreement with the IMF and the World Bank on a three-year program, which should clear the way for Cote d'Ivoire's participation in the new Highly Indebted Poor Countries (HIPC) initiative. The U.S. continues to pursue bilateral debt forgiveness agreements with the Ivorian Government. We will most likely sign an additional agreement in the near future. Cote d'Ivoire's debt forgiveness has been in line with that of other highly indebted poor countries.

*Question 15.* Cote d'Ivoire's currency, the CFA franc, has been guaranteed by France at a fixed exchange rate with the French Franc. Yet France is a founding member of the European Monetary Union (EMU), and its Franc will no longer be used when the three-year transition to a single European currency, the Euro, is completed in 2002. What steps have been taken by the EMU countries to accommodate the needs and interests of Cote d'Ivoire and of the other CFA franc users? What consequences will the adoption of the Euro have for Cote d'Ivoire?

Answer. The French have committed themselves to continued support of the CFA Franc. The CFA Franc will in the future be tied to the Euro with the initial fixed rate determined by the rate at which the French Franc is converted to the Euro. The overall impact on Cote d'Ivoire will depend on the strength of the new Euro and the strength of the West African economies. Overvaluation of the CFA Franc

is a concern should the Euro prove to be significantly stronger than the French Franc. The political will to move towards a devaluation on the part of the CFA Franc zone countries, should such become necessary, will largely determine the impact of the new Euro.

---

RESPONSES OF AMBASSADOR-DESIGNATE GEORGE MU QUESTIONS ASKED BY SENATOR HELMS AND SENATOR ASHCROFT

*Question 1. Is Cote d'Ivoire a democracy? Why or why not?*

Answer. Cote d'Ivoire has made important democratic reforms. Presidential and legislative elections in 1995 and municipal elections in 1996 were judged to be generally free and fair. This means the Ivorian Government at all levels was chosen through a democratic process. There are still important outstanding issues that need to be addressed as Cote d'Ivoire continues its democratic transition. The dominance of President Bedie's PDCI party at all levels of public life is a concern. Likewise, the opposition's boycott of the 1995 Presidential elections was unfortunate. The set-up and conduct of the 2000 Presidential elections will be an important benchmark of the country's democratic process. It is therefore distressing that the Ivorian Government appears determined to maintain the same laws which excluded certain opposition candidates from the 1995 Presidential elections by requiring both parents of a candidate to be natural born Ivorians. If confirmed, I intend to continue to encourage the Ivorian Government to interpret this requirement liberally so as to allow as many candidates and parties as possible to participate in the presidential election. In short, while Cote d'Ivoire has made important progress towards multi-party democracy, it still has many challenges ahead.

*Question 2. Foreign debt remains one of the most vexing problems for many African countries. Please discuss the progress that has been made in forgiving or rescheduling Cote d'Ivoire's debt. Has Cote d'Ivoire been unusually successful in winning debt forgiveness? If so, please explain why?*

Answer. Foreign debt has continued to slow Cote d'Ivoire's progress. Not until 1998 was agreement reached with the London Club on commercial debt payments, suspended since 1987. Under the agreement, Cote d'Ivoire will receive debt forgiveness exceeding \$4 billion. 1998 also brought a new agreement with the IMF and the World Bank on a three-year program, which should clear the way for Cote d'Ivoire's participation in the new Highly Indebted Poor Countries (HIPC) initiative. The U.S. continues to pursue bilateral debt forgiveness agreements with the Ivorian Government. We will most likely sign an additional agreement in the near future. Cote d'Ivoire's debt forgiveness has been in line with that of other highly indebted poor countries.

*Question 3. What is the status of women in Cote d'Ivoire?*

Answer. Women in Cote d'Ivoire continue to face serious challenges in their attempts to gain equal treatment with men. Spousal abuse is a continuing problem, and police continue to be reluctant to intervene unless pressed to do so by the victim. A social stigma against this practice exists, however, and neighbors often intervene to settle disputes. Divorces based on spousal abuse are increasingly common and socially acceptable. Forced marriage is also an on-going problem, although the Government has officially outlawed it and is taking steps to end the practice. Female genital mutilation, although illegal, continues to occur among certain ethnic groups. The Government has undertaken a national campaign to end the practice.

In the economic arena, Government law and action encourages the hiring of women on an equal basis with men. However, there remains strong resistance by employers towards hiring women who are seen as less dependable due to the possibility of pregnancy. Women are underrepresented in many sectors of the economy and are virtually absent from the managerial sector. Equal pay for equal work, however, is a legal requirement that is effectively enforced. Sexual harassment is a problem in the formal sector, and the Ivorian Government has outlawed it.

Women are underrepresented in the political process. Only 14 of the 169 deputies in the National Assembly are women. Women hold 3 leadership positions in the National Assembly and 3 of the 29 members of the Presidential cabinet are women. In spite of these low numbers, there are no legal impediments to women participating fully in political life.

*Question 4. I understand USAID recently made the decision to close its regional hub in Abidjan. Why was this decision made?*

Answer. USAID's declining budget regrettably made the closure of its regional office a necessity. While the office performed important regional accounting and program management functions, USAID could no longer afford to keep it open. The office's regional accounting and oversight functions have been dispersed to other USAID missions in West Africa. USAID has taken actions to minimize the negative impacts of this closure by reassigning some regional staff to other bilateral aid missions.

---

UNITED STATES DEPARTMENT OF STATE,  
WASHINGTON, D.C. 20520,  
*July 29, 1998.*

THE HON. JESSE HELMS,  
CHAIRMAN,  
COMMITTEE ON FOREIGN RELATIONS,  
UNITED STATES SENATE.

DEAR MR. CHAIRMAN:

Following the July 23, 1998 nomination hearing at which Ambassador-Designate Robert C. Felder testified, additional questions were submitted for the record. Please find enclosed the responses to those questions.

If we can be of further assistance to you, please do not hesitate to contact us.

Sincerely,

BARBARA LARKIN,  
ASSISTANT SECRETARY,  
LEGISLATIVE AFFAIRS.

Enclosures: As stated.

RESPONSES OF AMBASSADOR-DESIGNATE ROBERT FELDER TO QUESTIONS ASKED BY  
SENATOR HELMS AND SENATOR ASHCROFT

*Question.* 1. Nicephore Soglo, who was president of Benin from 1991 to 1996, had been hailed by France's President Jacques Chirac as "the artisan of democratic renaissance in Benin." During the Soglo presidency, the former Marxist military ruler, Mathieu Kerekou, reportedly lived in seclusion. How then do you explain Kerekou's success in defeating Soglo in the 1996 presidential election? To what degree were tribal or regional factors responsible? Were economic issues important? Please explain.

Answer. There is no doubt that Soglo was a key architect of Benin's transition to an open democratic society. His role in the 1991 National Congress and afterwards as Prime Minister prior to the Presidential election helped to create the democratic environment which has allowed for two peaceful transfers of power. In spite of his electoral defeat, Soglo's role is gratefully and positively remembered in Benin.

Kerekou's victory in the 1996 elections had more to do with charisma than politics. While Soglo throughout his time in government remained an aloof intellectual largely removed from Benin's majority, Kerekou is seen as a down-to-earth populist. He was able to connect with Benin's rural population during the campaign, a skill which eluded Soglo.

In addition, the wave of euphoria which accompanied Soglo's 1991 election ultimately worked against him in 1996. Benin's democratic and economic transition were expected to bring instantaneous results and immediate positive changes in the daily life of the population. The reality is that expectations were unrealistically high and even the most skilled reformer could not have fulfilled them.

Given the highly controlled state economy which Soglo inherited, economic reforms were imperative. Soglo aggressively pursued IMF and World Bank reform packages with little concern for politics. These packages, which included privatizations of state owned industries, removal of price controls, lay-offs of civil service employees and a decrease in government expenditures, ultimately have led Benin towards economic growth. However, in the short-term these cuts were painful and resulted in higher prices, higher unemployment and a decreased government social safety net. While Soglo never wavered in carrying out these painful reforms, he was never able to adequately explain their necessity. By 1996 their benefits were clear; however, the earlier pain remained in the electorate's mind and at least in part contributed to Soglo's defeat.

Tribal and regional divisions were of relatively less importance in Soglo's electoral defeat. Kerekou clearly enjoyed a dominant position in the rural north. However,

this seems more to be due to his superior ability to connect with the average Beninese than any ethnic or regional rivalries.

*Question 2.* What is your assessment of Kerekou's performance now that he is back in power?

Answer. Since his election as President in 1996, Kerekou has shown himself committed to both economic and political reforms. Kerekou has taken no action contrary to the 1990 Constitution and has even fulfilled Constitutional requirements, such as the state of the nation address, ignored by his predecessor. The Kerekou administration has upheld respect for human rights, and in some areas, has made important progress. The approval of a new media law led to a vibrant private media which is at times highly critical of the Government. Kerekou has allowed the opposition to operate freely, has maintained good working relationships with them, and has attempted to reconcile with former opponents, even bringing some into the government.

Answer. In the economic arena, Kerekou has maintained free market reforms and has been determined to remain on-track with the IMF Structural Adjustment Agreement negotiated by his predecessor. He has continued the program of privatizing state industries and has taken no actions to reinstate price controls. His budgets have followed IMF spending guidelines. In many ways, the Kerekou Government has been more willing to take responsibility for these sometimes difficult economic reforms than its predecessor. Kerekou has fought the unions over increased wages and has publicly supported the IMF's program even when politically risky.

*Question 3.* Kerekou describes himself today as a born-again Christian. What effect, if any, are his religious views having on policy?

Answer. Raised a Roman Catholic, Kerekou converted to Protestant Evangelical Christianity in the late 1980s or early 1990s. The President seems to have adopted wholeheartedly the tenants of his new faith, especially as they relate to high moral standards and the importance of forgiveness. Since reassuming office, Kerekou's speeches have often focused on the call to loftier morals in public life such as the need to forgive, to respect human rights and democratic principles, and to end corruption. His actions have coincided with these statements, and Kerekou appears to be setting his policy based on a desire to achieve forgiveness, reconciliation and a continued adherence to democratic principles in Benin.

*Question 4.* Are you confident that Benin will remain a democracy? What concerns do you have, if any, about a possible return to authoritarian practices by the Kerekou government?

Answer. Benin has already undergone two uneventful transfers of power in its short democratic history which already argues in favor of its continued adherence to democratic principles. The transfer of power is on its way to becoming a regularized part of Benin's national life. Even so, it is impossible to give absolute assurances that Benin will not backslide. It sits in a precarious position surrounded on three sides by Nigeria, Togo and Niger, countries which are far from democratic models. Benin has a relatively low education level, and its citizens still need a better understanding of democratic practices. At the same time, however, Benin does have a vibrant civil society which engages the government on issues at all levels. Its leadership continues to adhere to democratic principles as enshrined in its Constitution. Its military remains fully under civilian control. Based on these facts, I believe that the picture is a positive one and that democracy will continue in Benin.

Mathieu Kerekou called the 1990 National Conference which created the democratic transition plan which ended his absolute hold on power. He accepted and implemented the conference's recommendations allowing political rival Nicephore Soglo to serve beside him as Prime Minister prior to elections. He presided over the 1991 presidential elections which were judged as free and fair. He handed over power freely and without incident when he lost those elections. Although he enjoyed the military's loyalty, he never used it to disrupt the transition process. Since being re-elected to the presidency, Kerekou has continued to adhere to Benin's constitution and has upheld basic human rights, including political rights of the opposition. Based on this record, I have no evidence on which to assume that Kerekou will return to authoritarian practices.

*Question 5.* Please comment on the economic reform program undertaken by Benin. How has this program contributed to the expansion of Benin's economy? Is the economy capable of growth rates that would exceed the rate of population by a wider margin? Please explain.

Answer. Benin has undertaken a major restructuring of its economy based on a 1991 structural adjustment agreement with the World Bank and the International Monetary Fund. This program has concentrated on the privatization of state enterprises, the elimination and reduction of controls on commodity trade and prices, and an Investment Code designed to attract private investment. These activities were

complemented by the 1994 CFA Franc devaluation which helped reduce the cost of labor and local goods. These factors have combined to create sustained growth rates of around 5 percent a year.

Answer. While these growth rates can clearly be continued, how much they can be increased is uncertain. The Beninese economy remains largely dependent upon cotton production and cross border trade with Nigeria. Both of these activities are largely dependent upon factors outside Benin's control (weather, political stability in Nigeria, etc.). At the same time, diversification of the Beninese economy is possible. The privatization of state vegetable oil extraction facilities should reinvigorate this industry. Benin's off-shore oil deposits have only just begun to be exploited. There are possibilities for tourism, off-shore fishing, and vegetable processing. If political stability and economic reforms continue, these activities should help Benin's economic growth rate to exceed the rate of population growth by a greater margin. In addition, family planning education programs and increased economic development should help decrease the population growth rate.

*Question 6.* Please discuss economic relations between Benin and Nigeria. What influence does Nigeria's vast economy have over Benin's economic prospects?

Answer. Benin has attempted to maintain a positive working relationship with Nigeria's successive governments largely because of its economic dependence on its large neighbor. A primary source for export earnings in Benin is the reexport of goods to the Nigerian market. A large section of Benin's GDP is dependent on this transit trade. A downturn in Nigeria's economy would have negative effects on Benin's overall economic growth. In fact, the poor performance of the Nigerian economy has been a factor in keeping Benin's growth rates from exceeding their average of 5% per year.

*Question 7.* The Administration is requesting \$15.6 million in Development Assistance (including assistance for Child Survival and Disease) for Benin in FY 1999. This represents a slight decrease from the estimated \$17.1 million in aid in FY 998. What are the reasons for this decrease?

Answer. USAID Benin has estimated that assistance of around \$16 million per year through the year 2003 is appropriate/sufficient to meet the development objectives laid down in the areas of education, health, and democracy and governance. The Administration's Development Assistance request is designed to attempt to provide the mission with the necessary resources to carry out this goal while at the same time taking into account Congressional desires to decrease foreign assistance. The current request, I believe, balances these two goals. The slight decrease in funding is in no way indicative of poor performance on the part of Benin.

*Question 8.* Please discuss the U.S. economic assistance program in Benin. What specific program achievements can you point to?

Answer. The assistance program in Benin focuses on three strategic objectives: education, health and democracy and governance. In the education sector USAID assistance is designed to facilitate the development of a basic education system in Benin that is equitable, efficient, effective and sustainable. The primary activity under this program has been technical and budgetary support for the Beninese government to implement a comprehensive reform of the primary educational system. In addition, USAID has provided financing and technical assistance for the development of new curricula and teacher training programs. It has also provided funding for local NGO's concerned about primary education to increase societal involvement in the education sector. In coordination with other donors, programs have been undertaken to increase girls' enrollment in primary education.

The education program has had positive results. Both government officials and parent associations believe that substantial improvements have been made in the educational sector. Specifically, the program has strengthened the institutional capacity of the Ministry of Education, increased access to education, reduced gender inequality and regional disparities, and improved the availability of textbooks, training materials and teacher training. Civil society has been increasingly involved in the decision-making process in the education sector with local NGO's and parent associations providing input in creating the new curricula and in overall school management. Most importantly, overall primary education enrollment has increased from 50% to 69% since the program's inception in 1992 and girls' enrollment has increased from 32% to 52% in the same time period.

USAID's programs in the health sector attempt to support efforts to increase access to and quality of family health services in the areas of family planning, HIV prevention, and child survival. The mission works with the Ministry of Health to continue to improve the policy environment for family planning and to increase the Ministry's ability to effectively implement Benin's population strategy and to increase access to family planning information, services, and commodities. Included in this strategy is the social marketing of condoms and child survival products, as well

as continued attempts to build the institutional capacity of government agencies and NGO's to provide sustainable family planning and HIV prevention services. USAID is also working to promote selected child survival practices and services.

Results from the health program have been positive. Condom distribution rose from 355,000 in 1990 to 3,082,000 in 1997. Usage of oral rehydration salts in targeted villages has increased on average from 10% to 30%. While these results are largely preliminary, as the full program has only just begun, they do indicate that the program is on the right track.

Since Benin's adoption of a multi-party democratic system of government, USAID has provided material, technical and financial assistance in support of the transition to democracy. Specifically, USAID provided indelible ink, ballot seals, funding for observers and civic education for voters in the 1991 and 1995 legislative elections and in the 1991 and 1996 presidential elections. Other activities financed by USAID include a national forum on the judicial system; seminars, conferences and assessments of the electoral process, decentralization, and the role of women in democracy; and institutional support and technical training to national audit institutions to improve their performance in the management of public finance. In addition, USAID has worked with local NGO's to reinforce their financial and managerial capacity and improve their advocacy skills.

The best testament to the success of this program has been Benin's free and fair presidential and legislative elections and the peaceful transfers of power which accompanied them. In addition, the vibrant and active civil society in Benin is indicative of the success of our NGO assistance.

*Question 9.* How have the Benin government and people reacted to the unexpected death of Sani Abacha, the Nigerian military ruler? What consequences would an era of political instability in Nigeria have for Benin?

Answer. Benin always attempted to maintain a positive relationship with the Abacha military government owing to its common border and economic ties with Nigeria. Both the government and the people were shocked by his death. President Kerekou considers Abacha's death as the loss of a personal friend, in spite of their differing political views. While the Beninese government was concerned about the effects of Abacha's death on Nigerian stability, they remain cautiously optimistic. President Kerekou believes Gen. Abubakar is sincere and wishes to return Nigeria to civilian rule, and he believes Abubakar can maintain Nigeria's fragile stability.

Should Nigeria experience political turmoil, it would negatively impact Benin. Likely refugee flows would be more than this small country would be able to absorb. In addition, given its economic ties with Nigeria, any political instability would decrease Benin's potential economic expansion. It is also conceivable that political destabilization in Nigeria could damage Benin's fragile democracy.

*Question 10.* Benin uses the CFA franc, which is linked to the French franc at a fixed exchange rate guaranteed by France. Yet France is a founding member of the European Monetary Union (EMU), and its currency will be replaced by the Euro in 2002, after a 3-year transition. What impact will the emergence of the Euro have on Benin?

Answer. The French have committed themselves to continued support of the CFA Franc. The CFA Franc will in the future be tied to the Euro with the initial fixed rate determined by the rate at which the French Franc is converted to the Euro. The overall impact on Benin will depend on the strength of the new Euro and the strength of the West African economies. Overvaluation of the CFA Franc is a concern should the Euro prove to be significantly stronger than the French Franc. The political will to move towards a devaluation on the part of the CFA Franc zone countries, should such become necessary, will largely determine the impact of the new Euro.

*Question 11.* To what degree do investors from France hold an advantage over other potential investors in Benin? What opportunities, if any, do you see for U.S. business in Benin?

Answer. Owing to its historical and linguistic ties with Benin, French investors enjoy an advantage over others. The Beninese commercial code and general business practices are largely modeled after the French and the language of commerce is decidedly French. Aside from these de facto ties, however, there are no de jure advantages for French businesses nor governmental discrimination against non-French investors.

Benin offers opportunities for U.S. investment in several sectors. American firms already hold the service contract for Benin's petroleum operations and a large hotel. There is potential for American firms to sell equipment and provide maintenance services to the Seme oil field project. In addition, the privatization of large parastatals including insurance companies, the electric company, hotels and the petroleum products companies offer potential for investment.



*Question 12.* In April 1998, Benin participated in military maneuvers known as Operation Kompienga '98 with seven other African countries. What were the purposes of these maneuvers? Did they have U.S. support?

Answer. The maneuvers referred to were jointly formulated, set-up and directed by the eight African countries involved using their own logistics and equipment. The exercise was designed to assist in training the armies of the West African subregion in peacekeeping and humanitarian assistance operations. The U.S. supports the initiative of African countries in carrying out peacekeeping and humanitarian assistance activities on their own. Our participation in Operation Kompienga '98 was confined to an observer role.

*Question 13.* What is the military relationship between the U.S. and Benin and what is the rationale for that relationship?

Answer. The U.S. and Benin enjoy a close military relationship. Following Benin's participation in the Haiti peacekeeping operation, then Defense Secretary Perry and his Beninese counterpart established a Joint Military Commission (JMC). The JMC meets yearly in alternating capitals and has been the impetus for increased military ties. Benin in 1998 received funding for 17 students to take part in IMET training designed to increase technical skills and understanding of the military's role in a democracy. In 1997, the U.S. and Benin participated in three JCET exercises. Two focused on commando and small boat training and one dealt with light infantry operations, leadership training, medical techniques, officer/NCO development and civil/military operations. No JCET's are scheduled for 1998 as they will be replaced by African Crisis Response Initiative training for which Benin will provide a 650-man battalion. A MEDFLAG operation also took place in 1997 which established remote health clinics and performed basic medical treatment. Benin has received several ship visits over the years, the most recent in 1996.

The reason for this close military relationship is Benin's early progress toward establishing a democracy with the military clearly under civilian control. It is also a result of Benin's decision to become one of the first West African countries involved in peacekeeping operations. Today, the relationship is designed to help improve the armed forces' morale, to give them a clear mission so as to keep them out of politics, and to reinforce democratic principles, respect for human rights and the military's appropriate role in a democracy.

*Question 14.* On May 8, 1998, Prime Minister Adrien Houngbedji resigned from the Kerekou government, later explaining that he did so to preserve the hope he claimed his party embodies for "unity, liberty, and democracy." In your view, what did the Prime Minister mean by this remark? What is Mr. Houngbedji's background?

Answer. Houngbedji's remark was largely political rhetoric. There was no single event which prompted Houngbedji's withdrawal. His primary motivation seems to have been dissatisfaction with his lack of authority in the Kerekou government, as Benin's constitution does not provide for a Prime Minister and the President is both Chief of State and Head of Government.

Houngbedji is a southern Yoruba who earned a doctorate in law in Paris in the 1960's. He returned to Cotonou in private practice and entered government service as legal advisor to then President Emile Zinsou in 1968. In 1975, Houngbedji was arrested for allegedly plotting a coup against president Kerekou. He escaped from jail and fled to Togo. He lived in exile from 1975 to 1989 primarily in Gabon as an attorney for the oil industry. Houngbedji returned to Cotonou in 1989 to participate in the democratization. He won a seat in the Assembly in 1990 and placed third in the 1991 presidential elections. Houngbedji was a leading opposition figure serving as Assembly President from 1991 to 1995 and Assembly Speaker from 1995 to 1996. In the first round of the 1996 Presidential elections Houngbedji came in third. He entered into coalition with Kerekou in the second round and is credited with delivering crucial southern support. Houngbedji is a political moderate with popular support.

*Question 15.* Has a new Prime Minister been appointed? If so, what information do you have on his or her background? Please comment on the background and policies of the recently-appointed defense minister, Pierre Osho, who was an associate of Kerekou during the Marxist-Leninist era.

Answer. No new Prime Minister has been appointed, nor is one required. The Benin constitution does not call for a Prime Minister, as it is a presidential system. The post was created by Kerekou for Houngbedji and came without any clear responsibilities which is the primary reason for Houngbedji's departure.

Pierre Osho is a former professor who was pursuing a doctorate in history at the time that he left to pursue politics. Osho is one of Kerekou's closest allies and advisors having faithfully served with him during the dictatorial regime, Soglo's presidency, and since his reelection. During the previous regime Osho was a member of

the Central Committee of the People's Revolution and a Commissioner of the Republic (roughly equivalent to a deputy in the National Assembly). While Kerekou was out of power, Osho also largely dropped from public view serving as Kerekou's chief of staff. He served as campaign manager for Kerekou's successful 1996 presidential bid and is credited with gaining the backing of the third and fourth place finishers in the first round of voting for Kerekou. Following Kerekou's reelection, Osho was appointed Foreign Minister. In that post, he attempted to further Benin's positive relations with the U.S. In the latest cabinet reshuffle, Osho was appointed Defense Minister. Since assuming that position, he has continued with programs which reinforce our close military relationship with Benin including approval of Benin's participation in the African Crisis response Initiative.

---

RESPONSES OF AMBASSADOR-DESIGNATE ROBERT FELDER TO QUESTIONS ASKED BY  
SENATOR ASHCROFT

*Question 1.* Do you think Haiti is establishing a political system that is credible, transparent and increasingly irreversible?

Answer. Over the past few years, the Haitian political system has been characterized by vigorous, unrestrained debate of public policy issues. This is essential to the development of a modern, democratic political system. In addition, the Haitian Parliament and its leaders have asserted their independence and prerogatives firmly, thereby strengthening the separation of powers. However, Haiti's overall political development has been problematic: There are those in Haiti who have been far more interested in expanding and defending their own power than in building a successful political system. The April 1997 elections were seriously flawed and participation was extremely low. In the aftermath of those elections, Haiti has been without a fully empowered government for over a year. The governmental crisis must be resolved quickly based on negotiations. Elections must be organized which are fair and transparent and attract broad participation by political parties and voters. Only when this is accomplished, will the Haitian democratic system progress toward irreversibility.

*Question 2.* Has there been any organized electoral fraud in Haiti, and if so, in which elections?

Answer. I arrived in Haiti in July, 1995, after the June elections. I, therefore, do not believe it appropriate for me to characterize those elections. My view is that Rene Preval was not seriously challenged in the Presidential election which took place in December, 1995. He won by an overwhelming margin. None of his competitors attributed their defeat to fraud.

With regard to the April, 1997 Parliamentary and local elections, I am convinced that these were marred by significant fraud in the vote counting phase, between the time the polls closed on April 6 and the announcement of the official results. Virtually all observers, foreign and domestic, concluded that approximately 5%, and in no case more than 10%, of voters went to the polls. Yet, the official results declared a turnout of over 17%. While I am aware of many allegations that this vote fraud was organized, I have not seen proof of those charges.

*Question 3.* Mr. Felder, did you have evidence available to you in August 1995 that some execution-style killings were politically motivated?

Answer. There was strong reason to believe at that time that the Bertin killing was politically motivated. The failed plot involving Minister of Interior Beaubrun and the Moise brothers had been uncovered. The FBI investigation was pointing towards the involvement of one or another group associated with government security services. Given the fact that the FBI was not itself certain which of these groups (and precisely who within them) actually perpetrated the killing, I do not believe the information available to us at the time can reasonably be described as "evidence" of political motivation for execution-style killings.

BERTIN MURDER

*Question 1.* During your tenure as DCM in Port au Prince, did President Aristide show support for a thorough investigation into the Bertin murder? Did you encounter resistance from Aristide to a thorough investigation after the murder?

Answer. Mrs. Bertin was assassinated in March, 1995. I arrived in Port au Prince in July, 1995. Most of the conversations between U.S. representatives and President Aristide concerning the investigation of the Bertin case took place before my arrival. I cannot characterize President Aristide's approach in those meetings. During the

time I was in Port au Prince, President Aristide did not show support for a thorough investigation into the Bertin murder.

*Question 2.* Did the GOH ever investigate the Bertin murder? What evidence do you have that the GOH investigated the Bertin murder?

Answer. I do not believe that the Government of Haiti has undertaken a serious investigation of the Bertin murder.

*Question 3.* After the FBI's unsuccessful effort to investigate the Bertin murder, was there concern that the reasons for the FBI's withdrawal would become public?

Answer. I believe that there was a concern in Washington about the likely political fallout both in Washington and in Port au Prince and the impact of that fallout on U.S. interests in Haiti.

*Question 4.* By late summer 1995, was it the conclusion of senior Administration officials that the GOH could not be relied upon to conduct an adequate investigation of the Bertin murder? Is it accurate to say you did not have much faith in the ability of the Special Investigative Unit (SIU) to resolve the Bertin case? What is the state of the SIU at present? Has it produced any result on any political killing since early 1995?

Answer. I cannot speak for senior administrative officials. I can say that those of us involved in establishing the Special Investigative Unit (SIU) were hopeful that the unit would conduct serious investigations of the Bertin and other execution-style killings. At a minimum, I considered it reasonable to believe that the investigative ability and perseverance of the American advisers to the unit might lead to one or more breakthroughs.

As with other components of the Haitian National Police, the SIU is composed of individuals with limited investigative experience and minimal training. There is no appetite on the part of the Haitian leadership to resolve the execution style killings that have taken place since the return of former President Aristide to Haiti. Nonetheless, the SIU has obtained very important information related to a number of killings. The mere existence of the SIU with its American advisers has been, in my opinion, a major factor in the absence of politically motivated murders in Haiti since August, 1996.

#### GOVERNMENT SECURITY FORCES

*Question 1.* By what date had it become apparent that security officers for the President Security Unit were being selected on a political basis? Which officers did Aristide entrust to manage the formation of the Presidential Security Unit? Did we have any concerns about these men? Were they implicated in the Bertin assassination?

Answer. The recruitment of security officers for the Presidential Security Unit (PSU) took place well before my arrival in Haiti. I cannot comment on the basis for their selection or concerns which might have existed at the time. I do not believe that members of the PSU (as opposed to the National Palace and Presidential Guard) were suspected of involvement in the Bertin killing.

*Question 2.* When did U.S. officials first start becoming concerned about the threat these politicized security units posed to future Haitian presidents?

Answer. When we learned that members of the PSU were implicated in the murders of Leroy and Fleurival in August, 1996 and confronted President Preval with this information, he expressed concern that PSU members had not been selected by him personally and could represent a threat to his security should he move against those implicated in this killing.

*Question 3.* Did any of these security officers have a record of political killings or other flagrant crimes before Aristide selected them for positions in his security detail? Did he remove these possible assassins from his security forces and prosecute them after you brought these concerns to his attention?

Answer. Again, I was not in Haiti when the palace security elements were established and unaware of specific selection criteria or vetting procedures which were utilized. I am not aware that President Aristide removed anyone from his security forces as a result of expressions of concern by us. President Preval, however, did so.

*Question 4.* Why did President Aristide select officials for his security details that had questionable records and reportedly were involved in political killings while in government service?

Answer. I do not know the basis on which President Aristide selected members of his security details.

*Question 5.* Was there evidence that these so-called hit squads operating out of government security forces met regularly to formulate strategies for monitoring opponents of President Aristide?

Answer. These were reports that individuals associated with GOH security forces met to monitor the activities of political opponents. Individuals believed to have been involved in certain execution style killings reportedly participated in some of those meetings.

*Question 6.* Of the opponents of Aristide the hit squads were monitoring, how many eventually were murdered?

Answer. I do not know the answer to this question. Subsequent to my arrival in Haiti in July, 1995, the only killings of this nature were those of General Mayard, (Lavalas) Deputy Feuille and Leroy-Fleurival. Since August, 1996, there have been no further execution style killings with apparent political motivations.

#### CONGRESSIONAL OVERSIGHT

*Question 1.* Chairman Gilman stated "despite some ten hearings and briefings before the Committee on Haiti during 1995, the Administration failed to inform us until January 1996 that it was aware of these death-squads, which began a year earlier."

Why was the Congress not informed of these hit squads until January 1996?

Answer. I am not aware of any effort on the part of administration officials to withhold information from Congress. In my tenure in Haiti, the Embassy reported fully all information regarding execution style killings which came to its attention.

---

UNITED STATES DEPARTMENT OF STATE,  
WASHINGTON, D.C. 20520,  
*July 29, 1998.*

THE HON. JESSE HELMS,  
CHAIRMAN,  
COMMITTEE ON FOREIGN RELATIONS,  
UNITED STATES SENATE.

DEAR MR. CHAIRMAN:

Following the July 23, 1998 nomination hearing at which Ambassador-Designate William Swing testified, additional questions were submitted for the record. Please find enclosed the responses to those questions.

If we can be of further assistance to you, please do not hesitate to contact us.

Sincerely,

BARBARA LARKIN,  
ASSISTANT SECRETARY,  
LEGISLATIVE AFFAIRS.

Enclosures: As stated.

RESPONSES OF AMBASSADOR-DESIGNATE WILLIAM SWING TO QUESTIONS ASKED BY  
SENATOR HELMS AND SENATOR ASHCROFT

*Question 1.* How would you rate Kabila's popularity among the Congolese people today as compared to May 1997, when he first seized power? What explains the contrast?

Answer. In May 1997, there was broad popular euphoria at the ouster of President Mobutu by Kabila's Alliance of Democratic Forces for the Liberation of Congo (ADFL). This sentiment appeared to enhance Kabila's popularity at the time. His standing has probably diminished somewhat since the early days of his administration, although it's difficult to know with certainty in the absence of regular and reliable polling. Ultimately, the true test of the popularity of Kabila and other Congolese political figures will be the results of free and fair elections.

*Question 2.* What is your own view of Kabila's performance since he took office?

Answer. The Kabila Government's record remains mixed. The Government's performance in a number of areas has been disappointing. Negative developments have included the extremely serious allegations raised in the U.N. investigative report; detention of opposition figures; harassment of human rights organizations, the press, and other elements of civil society; and the continued ban on political party activities. We have repeatedly underscored our concerns about these developments through our Embassy, high-level bilateral meetings, and telephone calls by the Secretary. We are encouraged, however, by the recent release of prominent opposition figure Etienne Tshisekedi from internal exile, and hope this will be followed by other positive measures to open the political system. We have noted establishment of a Constituent and Legislative assembly and have urged the Government to ensure that it is broad-based and inclusive. The orderly introduction of the new Congo franc beginning July 1 has reinforced public perceptions of improved economic improvement by the new Government.

*Question 3.* Please identify the major figures in the Kabila government and give us your assessment of their capabilities. Are Tutsi disproportionately represented in the regime? To what degree are non-ADFL individuals and groups represented?

Answer. Major figures in the Kabila government include members of the cabinet, senior advisors in the Presidency, and top military commanders. The capabilities of these figures vary. For example, the Ministers of Health, Justice, and Foreign Affairs, and the Governor of the Central Bank are particularly well-regarded. Ethnic Tutsis hold only one cabinet portfolio (Foreign Affairs). Although Tutsi forces played an important role early in the rebellion, they now represent less than five percent of the Congolese military forces. A non-Tutsi was appointed interim Chief of Staff of the Armed Forces in July 1998. Non-ADFL individuals hold important cabinet portfolios (including the Ministries of Mines, Health, and Post and Telecommuni-

cations), senior advisory positions at the Presidency (including Director of Communications), and military commands (including a number of billets held by former Zairian Armed Forces Officers who have been integrated into the new army).

*Question 4.* What information do you have on the possible destruction of evidence of atrocities against Hutu refugees during the period the United Nations investigation has been delayed?

Answer. We have seen allegations—including those in the report of the UN Secretary General's Investigative Team of destruction of evidence of human rights abuses. The allegations have focused on reported efforts to conceal or remove mass graves in the vicinity of Mbandaka and south of Kisangani. We take these charges very seriously, but, based on available information, cannot either confirm or refute the reports.

*Question 5.* Both Kabila and Paul Kagame, the Rwandan vice president and defense minister, have strongly criticized the United Nations and others, including the United States, for failing to disarm the Hutu militants in Zaire before the rebellion broke out. In your view, could the international community have acted more decisively with respect to these militants between July 1994 and November 1996, where rebel troops broke up the refugee camps? What specifically might have been done?

Answer. At the time of the massive Rwandan influx into eastern Zaire in the summer of 1994, the international community gave priority to responding to the immediate humanitarian needs of these people. Over the next two years, the controlling presence in the refugee camps of Hutu militiamen and officials of the former Rwandan government and military impeded the voluntary return of bona fide refugees, added to instability in already volatile areas of eastern Zaire, and fueled a brutal cross-border insurgency in Rwanda. We and other donors funded a camp security force of Zairian military, along with an international military liaison group. The camp security force kept day-to-day law and order but was not in a position to prevent the cross-border insurgency.

By the summer of 1996, most international observers—including the United States—concluded that the situation was untenable. There was, however, no compelling U.S. security interest that could have justified putting American or other international forces at risk to separate dangerous Hutu militiamen from the camps.

During 1995 and through the early fall of 1996, the United States worked closely with the office of the UN High Commissioner for Refugees and other Western and African governments to craft viable alternative solutions to the problems posed by the presence of the camps in eastern Zaire. These proposed efforts included relocating the camps further from the border with Rwanda, restructuring food distribution to reduce the militia forces' control, and expanding public affairs and other programs to encourage greater voluntary repatriation by refugees. These initiatives were overtaken, however, by the ADFL rebellion which began in October 1996.

*Question 6.* In your view, what are the underlying causes of the profound economic and political problems Congo has faced since independence in 1960? To what degree should these problems be attributed to the Cold War and Congo's colonial legacy? To what degree were Zairians themselves responsible?

Answer. There are many underlying causes of the political and economic problems faced by the Congo since independence. Belgium's colonial legacy—especially the inadequate education provided the Congolese left the new nation ill-prepared for self-governance. Cold War competition was intense in this volatile region, where Western interests were threatened by an active Soviet, Chinese, and Cuban presence. These conditions led Western governments—including the United States—to overlook shortcomings in democratic reform and economic management of the Mobutu government. Even after the end of the Cold War and the suspension of U.S. and other Western assistance, however, the Mobutu government was characterized by chronic mismanagement and corruption. Lack of consensus among the Congolese political class on overdue democratic and economic reforms contribute to continued problems to the present day.

*Question 7.* Please give us your overall assessment of the Mobutu era in Zaire. Did Mobutu make a contribution in terms of holding Zaire together and damping ethnic tensions? Please discuss the extent of corruption during the Mobutu era. What officials were principally involved? Where are they living now?

Answer. Mobutu's legacy is, on balance, negative. His strong rule and efforts to inculcate a Zairian national identity helped keep the country together in the aftermath of Katangan secession and other rebel movements of the early 1960s. Yet, he also fanned the flames of ethnic rivalry by, for example, concentrating power in the hands of his own Ngbanda group, by abetting the expulsion of Luba-Kasais from Katanga in the early 1990s, and by tolerating repression of ethnic Tutsis in the Kivus.

Mobutu's regime was notoriously corrupt. Corruption was pervasive at all levels of government. In the course of a thirty-two year regime, thousands of officials were

involved to a greater or lesser degree. Today, many former Mobutu government officials remain in the Congo. Others are in exile in Europe or other African countries.

*Question 8.* The new government in Congo is attempting to recover Mobutu's overseas assets. What was the source of these assets? What information do you have on their scale and their location? In your view, are the Swiss authorities cooperating adequately with Congo in the recovery effort?

Answer. We do not have details regarding the source, scale, and location of Mobutu's assets. We have searched but are not aware of any assets in the United States. We understand some assets have been identified by the Swiss and Belgian governments. To date; however, the new Congolese government has been unable to recover assets due to lack of proof that they had been misappropriated. To our knowledge, the Swiss have been cooperating fully, according to their laws, with the Congolese government in its efforts to recover ill-gotten assets of the Mobutu family.

*Question 9.* Congo Foreign Minister Bizima Karaha called for a "pure and simple" cancellation of Congo's \$14 billion foreign debt, arguing that the funds lent to the former Zaire had been diverted for foreign bank accounts by the Mobutu regime. What information do you have on the truth of this charge? What countries and international financial institutions are Congo's principal creditors? In your view, should they expect to be repaid for loans made to the Mobutu regime?

Answer. There are many reasons for the large Congolese foreign debt and arrears. Some funds were siphoned off by corrupt officials. Some funds were allocated to large infrastructure projects that ultimately proved unsustainable. Many loans provided by the multilateral development banks were designed to provide budget support; these funds are difficult to track. The former Zairian government's accumulation of arrears was also a result of the decline in the mid-1970s of international prices for the export commodities that had provided much of Zaire's foreign exchange earnings.

The Congo's total foreign debt is approximately \$14 billion. We believe that most of this is owed to European donors and banks. International Financial Institutions (including the IMF, World Bank, and African Development Bank) are owed approximately \$1.2 billion. U.S. government agencies (principally Exim Bank) are owed approximately \$2.4 billion.

The Congolese Government has indicated that it will honor its international obligations. The United States is prepared to participate in an appropriate debt relief package for the Congo once the government establishes a credible economic reform plan in the context of an approved IMF-monitored program.

*Question 10.* The boundaries of Congo were drawn by the colonial powers more than a century ago, and since that time, Congo has repeatedly experienced grave violence and instability. Looking to the future, do you believe that Congo can hold together as a territorial unit, or do you expect it to break up? Please explain. What interest, if any, does the United States have in seeing Congo's territorial integrity maintained?

Answer. The Congo includes at least six distinct regions and numerous ethnic groups. A secessionist movement succeeded in establishing a separate Katangan government for a brief period in the early 1960s. Despite this threat to its unity, the Congo remained as a single entity. In the final years of the Mobutu regime, however, central authority had virtually collapsed, leaving many regions of the country with significant de facto autonomy.

Crucial to the future of the Congolese state is the constitutional reform process currently underway. Given the ethnic and regional diversity of the country, some form of decentralized authority is likely to be the most effective system of government.

With borders on nine other countries, the Congo's disintegration would have profound consequences for the entire Central African region. The United States has an interest in ensuring that any changes in the Congo do not lead to instability, cross-border conflict, refugee flows, or other humanitarian crises in the area.

*Question 11.* Please discuss French-U.S. relations with respect to Congo and sub-Saharan Africa generally. What have been the principal sources of strain? Do you see the United States as engaged in a contest with France for political and economic influence in Africa?

Answer. The United States and France cooperate in areas of mutual interest in Africa. Our two governments maintain a regular dialogue at the highest levels on African issues. French and American analyses and policy choices sometimes differ—as they have, on occasion, with respect to the Congo. But generally relations are good. Over the past year, for example, we worked closely with the French on the peacekeeping mission in the Central African Republic and relied on the French military forces to evacuate American citizens from Congo-Brazzaville. Similarly, we helped evacuate French nationals from Sierra Leone during this period.

U.S. policy in Africa is not driven by competition with any other government. Rather, our efforts are devoted to promoting American interests—political, diplomatic, humanitarian, and economic—in the region. We have made it clear that we intend to play a role on the continent commensurate with these interests. Africa is not the “private hunting ground” of the former colonial powers, as Secretary Christopher noted during his visit to the region in 1996.

*Question 12.* What assistance has been provided to Congo since Kabila’s takeover? What were the purposes of this aid? Please identify the obstacles to a more substantial assistance program.

Answer. In FY 1997, we provided approximately \$8 million to the Congo. These funds supported establishment of three regional hubs (to support local/regional development projects and conflict mitigation activities) and sponsored health sector activities in cooperation with UNICEF and WHO. The health sector program was a vaccination campaign that immunized more than 750,000 children in Kinshasa in early fall 1997.

The FY 1998 program is expected to total approximately \$30 million. This includes:

- approximately \$10 million to continue the local/regional development activities of the three AID regional hubs;
- approximately \$11 million for projects in the health, environment, and private sector development fields;
- \$10 million for the World Bank Trust Fund for the Congo to support health, education, and labor-intensive infrastructure projects, and labor-intensive infrastructure projects;
- \$500,000 to support constitutional reform, election preparations, and/or judicial reform projects.

Several obstacles impede a more substantial assistance program. Legislative restrictions—including the Brooke and Faircloth amendments—make it necessary to obtain Executive Branch waivers in order to provide most types of aid. A further obstacle to an increased aid program is uncertainty regarding the absorptive capacity of some potential aid beneficiaries. Finally, the U.S. government continues to monitor progress on democratic and economic reform and respect for human rights in determining the structure of our aid program for the Congo.

*Question 13.* Professor Robert Rotberg of Harvard and others have argued against imposing stringent conditions on aid to Congo with respect to the UN investigation and democratization. They are concerned that excessive conditionality will postpone the massive international effort needed for reconstruction in Congo, setting the stage for further conflict. What is your reaction to this view? As ambassador, what sort of assistance program will you advocate?

Answer. The United States pursues a policy of cautious engagement with the Congolese government. While continuing to monitor government performance, we are proceeding with an aid program to promote democratic and economic reform and address critical needs of the Congolese people (e.g., health care). The United States has been at the forefront of efforts to mobilize appropriate donor resources through the Friends of the Congo process and World Bank Trust Fund.

Answer. I strongly support the current U.S. assistance program for the Congo. If confirmed, soon after arrival at post, I will assess our aid activities and recommend any necessary modifications.

*Question 14.* Congo has immense resources in minerals and agriculture. To what degree are the strains in relations between the United States and the Kabila government inhibiting the ability of U.S. firms to participate developing these resources? South African mining companies are reported to be active in mineral-rich Katanga province. Are you concerned that U.S. firms may be losing opportunities to south African competitors? What would you do, as ambassador, to promote U.S. investment in Congo, as well as U.S.-Congolese trade?

Answer. U.S. firms are actively seeking business prospects in the Congo, but are appropriately wary about committing funds given prevailing political and economic conditions. In March, the Corporate Council on Africa organized a Trade and Outreach mission to the Congo that attracted some 40 U.S. firms. The mission was well-received in the Congo, including by President Kabila.

South African firms remain active in the region, as they have been historically. In at least one case, a South African firm has formed a joint venture with a North American firm in which U.S. investors hold significant equity. U.S. companies remain competitive in the Congolese mining sector, in part due to their technological advantage in some areas.

If confirmed as Ambassador, I would maintain close and direct contact with any and all U.S. firms interested in doing business in the Congo. And I would relent-



lessly press the Congolese Government to ensure fair treatment of those firms. Protection and promotion of legitimate American business interests has always been, and, if confirmed, will remain a top priority for me.

*Question 15.* Do you expect the Clinton Administration to appoint a special envoy for Congo, as has been done in the case of Angola and other African trouble spots? Do you favor such an appointment? How would the work of a special envoy duplicate or complement your own efforts as ambassador?

Answer. Former Congressman Howard Wolpe serves as Special Presidential envoy to the Great Lakes region of Central Africa. In this role, he has shared responsibility for regional diplomatic and security issues in the Great Lakes states, including parts of eastern Congo.

Answer. If confirmed by the Senate, I, as the President's personal representative, will have overall responsibility for managing U.S. relations with the Congo.

RESPONSES OF AMBASSADOR-DESIGNATE WILLIAM SWING TO QUESTIONS ASKED BY  
SENATOR HELMS AND SENATOR ASHCROFT

*Question 1.* Since its establishment a year ago, the government of President Laurent Kabila has had a pretty poor record in the area of basic human rights, ranging from banning all opposition political activity to the arrest and harassment of independent journalists, human rights activists, and pro-democracy leaders. What is your assessment of these actions? To what extent has Kabila fulfilled the promises he made when he was first inaugurated?

Answer. The Kabila Government's record remains mixed. The Government's performance in a number of areas has been disappointing. Negative developments have included the extremely serious allegations raised in the U.N. investigative report; detention of opposition figures; harassment of human rights organizations, the press, and other elements of civil society; and the continued ban on political party activities. We have repeatedly underscored our concerns about these developments through our Embassy, high-level bilateral meetings, and telephone calls by the Secretary. We are encouraged, however, by the recent release of prominent opposition figure Etienne Tshisekedi from internal exile, and hope this will be followed by other positive measures to open the political system. We have noted establishment of a Constituent and Legislative assembly and have urged the Government to ensure that it is broad-based and inclusive. The orderly introduction of the new Congo franc beginning July 1 has reinforced public perceptions of improved economic management by the new Government.

At his inauguration in May 1997, President Kabila announced a two-year timetable of constitutional reform leading to elections. The initial stages of the constitutional reform calendar have been completed: a constitution drafting commission was formed in fall 1997 and presented a draft text to the President in May. The next stage in the process is for the Constituent Assembly to be named. The Government announced in June that it was soliciting candidates for the Assembly, but they have not yet been appointed. We have underscored through our embassy in Kinshasa that this Assembly should be broadly representative and participatory, and should operate transparently.

*Question 2.* Please comment on the status of the World Bank Trust Fund. What commitments have been received from other donors? What procedures are in place for disbursement of this fund?

Answer. World Bank officials are in the final stages of negotiating the Trust Fund agreement with the Government of the Congo. The Fund is projected to total \$100 million over two years. The United States is committed to contributing \$10 million. Including our pledge, donor nations have made commitments of \$32 million so far this year.

The Fund will provide project assistance in the health, education, and labor-intensive infrastructure sectors. No cash or salary payments will be funded. A donor steering committee that includes the U.S. has convened to establish policy and oversee the fund. The Trust Fund will be administered by a World Bank unit in Kinshasa working with the Congolese Office of the Presidency and Inter Ministerial Economic Committee. Expenditures for equipment, supplies, etc. will be monitored by a special consultant from an international accounting firm who will be resident in Kinshasa.

*Question 3.* What is your assessment of the political climate in the Congo? What restrictions are currently in place regarding political activity?

Answer. The ban on political party activities remains in effect in the Congo. Incidents of harassment of opposition figures, NGOs, and journalists have diminished over the past two months, however. A vibrant independent press continues to present a range of political views to the community. Prominent opposition figure Etienne Tshisekedi was released from internal exile July 1 and later gave a public press conference. Some of his supporters were subsequently detained briefly.

---

RESPONSES OF AMBASSADOR-DESIGNATE WILLIAM SWING TO QUESTIONS ASKED BY  
SENATOR HELMS AND SENATOR ASHCROFT

*Question 1.* Administration officials testifying before the Africa Subcommittee in July 1997 stated that President Kabila's government would have to demonstrate its commitment to democratic and economic reform before U.S. assistance was provided.

- Has President Kabila met any of his self-imposed deadlines for constitutional and electoral reform? Is he continuing to suppress political dissent? Has he effectively blocked the UN investigation into the killings of refugees in 1997?
- Why is our government moving forward, then, with a \$30.5 million aid program to DROC, \$10.5 million of which will be contributed through the World Bank development fund for Congo?
- One UN official involved in the Congo investigation was quoted as saying "The U.S. just wanted to get on with its relations with Congo and get this investigation behind it ... the U.S. pushed us to play by Kabila's rules and to accommodate him" (News Day, July 1, 1998). Do you find such statements troubling? Will the Administration consider supporting another team to investigate the refugee killings or expanding the scope of the Arusha tribunal to cover the killings or expanding the scope of the Arusha tribunal to cover the killings?

At his inauguration in May 1997, President Kabila announced a two-year timetable of constitutional reform leading to elections. The initial stages of the constitutional reform calendar have been completed: a constitution drafting commission was formed in fall 1997 and presented a draft text to the President in May. The next stage in the process is for the Constituent Assembly to be named. The Government announced in June that it was soliciting candidates for the Assembly, but they have not yet been appointed. We have underscored through our embassy in Kinshasa that this Assembly should be broadly representative and participatory, and should operate transparently.

The ban on political party activities remains in effect in the Congo. Incidents of harassment of opposition figures, NGOs, and journalists have diminished over the past two months. Prominent opposition figure Etienne Tshisekedi was released from internal exile July 1 and gave a press conference, although some of his supporters were subsequently detained briefly.

The Congolese Government did not fully cooperate with the UN human rights team investigating alleged abuses, including massacres, during the period 1993–1997. This accounts in part for the shortcomings of the UN investigation's results.

Our assistance program is designed, first and foremost, to help the people of the Congo. Ongoing and planned activities emphasize local and regional development, conflict mitigation, support for children's health, promotional of the private sector, and protection of the environment. Our \$10 million contribution to the World Bank Trust Fund for the Congo supports project assistance in the health, education, and labor intensive infrastructure sectors. We have identified \$500,000 to support democracy/governance activities in the areas of constitutional reform, election preparations, and judicial reform.

The remarks ascribed to a UN official do not accurately describe U.S. policy. Our government was at the forefront of efforts to ensure a thorough investigation into very serious charges of human rights abuses. U.S. Ambassador to the UN Bill Richardson made two trips to the Congo to attempt to resolve differences between the Government and the UN team that impeded the investigation.

The Administration supports the position taken by the UN Security Council in its July 13 Presidential Statement on the Investigative Team's report. The statement calls on the governments of the DROC and Rwanda to investigate the serious allegations contained in the UN report and to bring those responsible to justice. The governments are requested to provide the Council with a report of progress in these efforts by October 15. The Council notes its readiness to consider additional steps

to ensure that those responsible for violations of human rights and humanitarian law are brought to justice.

*Question 2.* How secure is the Kabila government? Is he effectively in control of the country? What are the most important threats to stability in the country?

Answer. Kabila's government has been in power only 14 months. Central Africa remains a volatile region, with many potential sources of instability. We are not aware, however, of any organized military elements that currently pose a significant threat to the new government.

The new government has established at least as much control as the predecessor regime, and probably more. Nonetheless, the Congo is a vast country with under-developed infrastructure and communications. The impact of Central Government decisions on individuals at the local or village level is minimal, as it has been for years.

Security threats posed by Rwandan Hutu militiamen in the Kivus tend to be localized and do not at this time appear to threaten overall stability of the government. The Congolese military includes integrated elements of ethnic Tutsi forces, Katangan gendarmes, former Zairian Armed Forces, and members of the ADFL. Deterioration in the relationship among these elements would be cause for concern and could pose a potential threat to stability.

RESPONSES OF AMBASSADOR-DESIGNATE WILLIAM SWING TO QUESTIONS ASKED BY  
SENATOR ASHCROFT

*Question.* Ambassador Swing, in commenting on your quotations in the Robert Novak article in August 1995, you stated before the House International Relations Committee in September 1996: "What I was saying, Congressman, was that based on knowledge we had to date we were not in a position to say whether they were politically motivated or if they were drug-related or anything else because at that point the FBI investigation was not complete..."

1. By August 1995, had you sent any cables to the State Department describing various murders in Haiti, and which ones likely were committed for political reasons—thus ruling out other reasons for the killings, such as the narcotics trade?

Answer. I do not recall whether by August 1995 any cables to Washington identified some of the murders as likely committed for political or other reasons. Some, such as the Bertin assassination, seemed more clearly to have a political motive, while others seemed to have occurred for other reasons such as settling scores, especially as regards former Haitian military or ex-FRAPH leaders. I believe that we informed Washington that the UN/OAS International Civilian Mission had reported in August 1995 several categories of individuals murdered, to wit, former FAd'H military, ex-FRAPH, members of the auto trade, and unrelated cases—among the killing over the previous nine months or so.

BERTIN MURDER

*Question 1.* Who made the decision not to warn Mrs. Bertin directly of the assassination plot against her?

Answer. Major General George Fisher, Commander of the Multinational Force (MNF), made the decision not to warn Mrs. Bertin directly of the assassination plot against her. (It was the MNF which first received word—through one of its Haitian contract interpreters—of an alleged assassination plot against Mrs. Bertin.) After consultation with General Fisher, I supported his decision.

*Question 3.* In determining whether or not to inform Bertin or others of assassination plots against them, was fear of press exposure ever discussed as a reason not to inform potential targets?

Answer. I do not remember that this was an issue at the time.

*Question 4.* Do you believe Mrs. Bertin was informed by the GCH of the plot against her? Do you find credible the claims by Bertin's family that she was not informed by the GOH?

Answer. a. Clearly, at the time I believed that the GOH had informed Mrs. Bertin of the plot against her. First of all, Aristide confirmed to General Fisher in a letter dated March 25, 1995 (and Justice Minister Jean-Joseph Exume confirmed verbally) that the GOH had informed Mrs. Bertin of the assassination plot. Also, had I not believed them, we would have proceeded to inform her directly as it was our fall back position to inform her ourselves should the GOH not do so itself. In his March 25, 1995, letter, Aristide told General Fisher that the Minister of Justice had con-

tacted the person in question to advise her of the possible threat so that she could take appropriate measures, and that the Minister of Justice would maintain open lines of communication with her.

Earlier, in a March 22 meeting, I believe Aristide told the DCM and General Fisher that his government would provide protection to Mrs. Bertin. On March 23 or so, Aristide told me and General Fisher that Minister of Justice Exume had spoken with Mrs. Bertin and that he, Aristide, was prepared to speak with her at the Palace if she so wished. Just before that meeting, Exume confirmed to General Fisher that he had spoken by phone with Mrs. Bertin, told her of the plot and discussed with her whether she might wish to take temporary refuge out of Haiti. General Fisher told Aristide that the MNF would ensure that the GOH, or failing that the USG, informs Mirielle Bertin of the alleged plot against her.

b. It is my belief that Justice Minister Exume contacted Mrs. Bertin about the plot. How detailed, clear or convincing his presentation was, I have no way of knowing. It is my recollection that Mrs. Bertin's family disputes far more the content of Exume's message than that he spoke with her at the time of the plot.

*Question 5.* Did you ever report to the State Department that GOH obstructions to the FBI investigation were for political cover?

Answer. While I cannot rule this out, I do not recall using the term "political cover." I did inform Washington in August 1995, that further progress was unlikely unless the GOH facilitates the investigation. I then requested that a senior U.S. Department of Justice official brief Aristide on the results to date of the investigation and describe to him the risks to his credibility if it is perceived that his administration is protecting assassins. I recommended that if this then fails, the FBI should leave and the GOH be urged to conduct its own investigation.

*Question 6.* Was there concern that the reasons for the FBI's withdrawal would become public?

Answer. It is, generally speaking, easier and more effective terms of results, if disagreements between two governments can be handled out of the glare of the public spotlight. In this sense, there was I believe some concern about the FBI's departure even though this was not my principal consideration. (I sought, until the very moment they departed, to keep the FBI in Haiti because I judged that they were at the time our best hope of solving the Bertin and other murders given the lack of investigative capacity on the part of the new civilian Haitian National Police HNP)

*Question 7.* Did Minister of the Interior Beaubrun have a U.S. visa at the time of the Bertin murder? Has his visa been suspended?

Answer. I do not know whether or not Beaubrun had a U.S. visa at the time of the Bertin murder. Certainly, had he had a U.S. visa then, we would have canceled it. (My only recollection is that when Beaubrun left Haiti after the Bertin killing, he traveled to Germany.)

*Question 8.* After the Bertin murder, did the embassy start informing potential targets of threats against them if the information came from credible sources?

Answer. Yes. To the best of my knowledge, we received instructions from Washington in April 1995, shortly after the Bertin assassination, that we should henceforth directly inform potential targets whenever we had credible information of threats against them.

*Question 9.* Did any sources who told you of threats against individuals—sources which you viewed to be credible enough to warn the potential target—also inform you of Aristide's links to these groups, either Aristide's direct management of the hit squads, GOH provision of assistance to the paramilitary groups, or Aristide's attendance at hit squad meetings?

Answer. I do not recall any credible sources who linked Aristide to these groups.

#### FBI INVESTIGATION OF BERTIN MURDER

*Question 1.* Did President Aristide show support for a thorough investigation into the Bertin murder? Did you encounter resistance from Aristide to a thorough investigation after the murder?

Answer. When I spoke with Aristide an hour or so after the Bertin murder, he immediately accepted with gratitude my offer to seek to get an FBI team of investigators to come to Haiti. Over the next months, however, President Aristide raised a number of constitutional and legal barriers to the FBI's access to witnesses and general ability to operate. Partial immunity we sought for the FBI was not granted. At several points, we thought we had arrived at an agreement on the issue of Haiti's legal requirements that Haitian nationals be provided legal counsel when being questioned. Access continued to be a problem. Sovereignty issues were also raised. The problems encountered did lead the Aristide government, however, to initiate the establishment of its own investigative unit, the Special Investigative Unit, which is

continuing to investigate the Bertin and other murders and shows some modest promise.

*Question 2.* Did you feel it might take high level pressure from Washington to get Aristide to move forward on the investigation? Did the GOH investigate the Bertin murder? What evidence do you have that the GOH investigated the Bertin murder?

Answer. Yes. On a number of occasions senior Washington officials either met with Aristide in Haiti, phoned or wrote him to urge that he support the Bertin investigation actively.

In October 1995, a Special Investigative Unit (SIU) was formed within the Haitian National Police. The SIU is currently investigating the Bertin case and a number of others including those believed to be ballistically linked to the Bertin murder, directly or indirectly

*Question 3.* A GAO report on the Bertin murder states that "The only evidence that the government of Haiti investigated any aspect of the allegations of a plot to assassinate Mrs. Bertin is a letter from the Haitian President attesting to such an investigation." The GAO report goes on to state that the Justice Minister "said he had no knowledge of what inquiries the President actually made" into the Bertin murder. Is the GAO correct in its assessment of any investigative efforts by the GOH?

Answer. I do not know whether Minister of Justice Exume had any knowledge of what inquiries the President actually made into the Bertin murder or whether the GAO is correct in its assessment of any GOH investigative efforts. The Special Investigative Unit (SIU), which is an integral part of the Haitian National Police, is currently continuing to investigate the Bertin murder.

*Question 4.* In reference to the FBI investigation, you stated before the House International Relations Committee in September 1996: "I recall it was about August 1995 that we were beginning to realize that the FBI investigation was not proceeding as we had hoped it would..."

a. Do you stand by that statement, that you first began to realize in August 1995 the Government of Haiti had little intention of cooperating with the FBI investigation?

b. When did the embassy first send cables to Washington after the Bertin murder indicating the Government of Haiti had little intention of cooperating with the FBI?

c. When did the FBI first signal it was ready to pull out of Haiti due to lack of Haitian cooperation?

Answer. a. In general, yes. It was in August 1995 that I sent a cable to inform Washington that further progress in the investigation was unlikely unless the GOH facilitated it. I asked that a senior U.S. Department of Justice official brief Aristide on the results to date and describe the threat to his credibility if it was perceived that his administration is protecting assassins. I recommended that the FBI leave if this approach fails, and that we urge the GOH to conduct its own investigation.

b. Reports we made in June and July 1995 on discussions between FBI and DOJ representatives with OH officials, including President Aristide, identified a number of areas in which greater GOH cooperation was desired. I do not recall if we sent earlier cables on this subject.

c. The FBI began expressing serious concerns about its ability to conduct and complete an effective investigation as early as June and July 1995 when Washington and Miami officials met with Haitian authorities.

*Question 5.* Did the FBI feel that lawyers hired by Aristide were obstructing justice by providing alibis to witnesses? How much money did the GOH spend to hire lawyers in the United States that obstructed the Bertin investigation? Did any of those funds come from U.S. assistance provided to the GOH?

Answer. a. On one or more occasions, visiting FBI officials expressed concern that one of the lawyers hired by Aristide was providing alibis to persons the FBI was interviewing. (The GOH, for its part, objected to what it considered the FBI's improper use of U.S. military interpreters.) Lengthy discussions ensued on the issue of whether or not witnesses might have a lawyer present to represent them during the interviews.

b. I do not know how much money the GOH spent to hire lawyers in the United States. I recall that Aristide had two, or possibly three U.S. legal firms on retainer. I recall an article in an expatriate newspaper once which mentioned the sum of \$600,000 annually for one of these, a Miami-based firm, but as far as I know that amount has not been substantiated.

Answer. c. None of the funds Aristide used to hire U.S. lawyers came from U.S. assistance to the GOH.

*Question 6.* What rationale did lawyers hired by Aristide give for the Bertin murder?

Answer. I have no knowledge or recollection of any rationale they may have offered for the Bertin murder.

*Question 7.* Did security officials which answered to Aristide try to intimidate witnesses and FBI investigators? Did Aristide ever respond to your requests for partial immunity for FBI personnel operating in Haiti?

Answer. I recall that FBI officials mentioned to GOH interlocutors their concern that GOH security officials such as members of the Interim Public Security Force (IPSF) positioned themselves immediately outside the interview room when the FBI was interviewing Haitian witnesses.

Other than the responses received during our discussions, I do not recall that we ever received an official definitive response to our requests for partial immunity for FBI personnel in Haiti. Partial immunity was not granted.

*Question 8.* Did the embassy or the FBI investigators obtain "hit lists" of individuals targeted for harassment or assassination by paramilitary groups operating out of President Aristide's palace?

Answer. Over the years, at various times, hit lists have circulated in Haiti, including during the recent de facto period (1991-1993) and during much of my time in Haiti (1993-1998). I don't remember whether any of these "hit lists" specifically referred to paramilitary groups operating out of the national palace.

*Question 9.* Did the GOH violate mutual understandings with U.S. officials concerning FBI access to witnesses in the Bertin case and the scope of the investigation? If he had so desired, could President Aristide have removed the obstacles to the FBI's investigation? Since the FBI ended up withdrawing from Haiti, Aristide did not remove the obstacles?

Answer. I do not recall whether there were mutual understandings on FBI access to witnesses in the Bertin case and the scope of the investigation. By the summer of 1995, differences in understanding were emerging between the FBI and the GOH concerning the conditions which the GOH felt the Haiti constitution and laws called on it to impose.

In the conversations I recall, Aristide took the position that the Haitian constitution and laws required that certain conditions and limits be placed on FBI access to witnesses.

Aristide did not remove the obstacles.

*Question 10.* In any correspondence with you, did Aristide ever threaten a public assault on the FBI investigation if the U.S. did not start cooperating on Haiti's terms?

Answer. I recall two letters Aristide wrote to me in the summer of 1995 on the subject of the FBI investigation, but I do not recall an implicit or explicit threat of a public assault on the FBI investigation.

In one of these letters, Aristide underscored his continuing insistence that the FBI widen the scope of its investigation to include all high-profile assassinations since the coup of 1991. He also reminded me that the FBI is subordinate to the Haitian Ministry of Justice and must respect Haitian law. A later letter enclosed a letter from one of his lawyers which mentioned that the FBI should investigate the specific murder cases of Justice Minister Guy Malary, businessman Antoine Izmary, and Father Jean Marie Vincent. He also expressed concern about the improper use of U.S. military interpreters.

*Question 11.* Was Dany Toussaint the head of President Aristide's Interim Public Security Force? Was Toussaint the main point of contact for the FBI in investigating the Bertin murder? Was he implicated in the plot to assassinate Bertin?

Answer. Dany Toussaint headed the Interim Public Security Force (IPSF).

Dany Toussaint was a point of contact for the FBI in investigating the Bertin murder, although I do not recall that he was their main point of contact.

There have been serious allegations that "hit gangs" operated out of the IPSF's "Anti-Gang" unit during the period in which Toussaint was IPSF chief and at the time of the Bertin murder. These reports have not been fully substantiated, to my knowledge.

*Question 12.* By late summer 1995, was it the conclusion of senior Administration officials that the GOR could not be relied upon to conduct an adequate investigation of the Bertin murder? Is it accurate to say you did not have much faith in the ability of the Special Investigative Unit (SIU) to resolve the Bertin case? What is the state of the SIU at present? Has it produced any result on any political killing since early 1995?

Answer. By the late summer of 1995, no more than the first two classes of Haiti's new civilian police force had graduated from four months of training. None had more than a few months experience. Specialized training, such as investigations had not yet begun.

In a letter dated October 11, 1995, Justice Minister Exume informed us officially of the creation of a Special Investigative Unit (SIU) which still had to be trained, equipped and headquartered. Over the past three years the SIU has made slow and irregular progress and increased its ranks. While no conclusive results are yet available, the SIU is actively pursuing a number of cases including that of Mrs. Bertin's assassination and those cases ballistically linked to her murder.

#### ELECTORAL FRAUD

*Question 1.* Ambassador Swing, you were quoted in an article by Robert Novak on August 10, 1995 that although the June election was "seriously flawed with irregularities of a technical and administrative nature," there is "no evidence that we have seen of organized fraud." (WP, August 10, 1995).

a. Were you accurately quoted in the article? Do you still feel that there has been no organized electoral fraud in Haiti?

b. Did all the major opposition parties charge electoral officials appointed by Aristide of managing the election to favor Aristide's Lavalas's party?

c. Jeffrey Hirschberg, a member of the presidential delegation to observe the June 1995 elections, wrote to Sandy Berger, then Deputy National Security Advisor, states that "there is credible evidence to suggest the election outcomes were managed and that President Aristide did not remain neutral through out the process." Is Mr. Hirschberg's statement incorrect?

Answer. a. I believe that these quotes accurately reflect my assessment of the June 1995 election at the time. The International Civilian Mission and other observers have found isolated instances of efforts at electoral fraud, such as ballot box stuffing, and we at the Embassy have brought every such instance of which we are aware to the attention of the Provisional Electoral Council (CEP), and in some instances to the attention of the President. The donors have also made numerous formal recommendations to the CE and the Presidency on remedial measures to address these irregularities.

b. It is my recollection that most of the major opposition parties accused the CEP of manipulating the 1995 election results to favor the OPL (Lavalas) party, but had some difficulty in substantiating their claims.

c. My assessment of the election is more closely reflected in the earlier quotes from the Robert Novak article.

*Question 2.* After his return to power, did President Aristide ever manipulate the electoral council, either in its formation or subsequent duties?

Answer. As far as I am aware, the Provisional Electoral Council (CEP) was selected as the constitution prescribes, i.e., three members each selected by the three branches of government—Executive, Legislative and Judicial.

As far as I can remember, there were unsubstantiated charges of Palace manipulation of electoral officials, especially under the CEP's first president, Remy.

*Question 3.* After his return to power, did President Aristide ever replace the Supreme Court in a manner contrary to Haiti's constitution?

Answer. I am not aware that President Aristide replaced the Supreme Court in an unconstitutional way.

*Question 4.* Ambassador Swing, in early 1995, did President Aristide issue by decree a different electoral law than was passed by the Haitian parliament?

I do not recall Aristide's issuing by decree a different electoral law than was passed by the Haitian parliament.

*Question 5.* Do you think Haiti is establishing a political system that is credible, transparent and increasingly irreversible?

Answer. Haiti is embarked upon a long-term process of building stable democratic institutions, a process which is more and more becoming irreversible. One of the most important of these is a credible, transparent electoral system. On the technical side, there has been considerable progress: e.g., many poll workers have been trained and now have experience as well. Haiti will continue to require financial and technical assistance, however. Despite the disappointing pace of judicial reform, the Haitian National Police show much promise as do some of the economic reforms such as privatization of the nine principal state entities.

#### GONZALEZ MURDER

*Question.* Ambassador Swing, you testified before the House International Relations Committee in September 1996: "There is no case that I considered to be more serious than that of the assassination of Michel Gonzalez. His widow, as you correctly noted, and his daughter, who was present at the time of the assassination, are both American citizens."

1. Ambassador Swing; do you still view the Gonzalez murder as the most serious of the political killings? Why was this case the most important? Did it have anything to do with possible direct involvement of President Aristide in the killing?

Answer. My statement about the seriousness of the Michel Gonzalez case reflects the importance I attach to my responsibility for the protection of the lives and properties of American citizens. We have subsequently learned through the FBI investigation of the ballistic linkage of the Gonzalez murder to several others, including Bertin, thus adding a further element of importance to the Gonzalez case. My characterization of the seriousness of the Gonzalez case was unrelated to any possible direct involvement of President Aristide.

*Question 2.* Did you raise the Gonzalez murder with President Aristide? What was his response — was it adequate? Did Aristide demonstrate a genuine commitment to investigate and bring the assassins to justice?

Answer. I raised the Gonzalez murder on a with President Aristide. He responded positively to the urgency of solving the Gonzalez case. In the end, he did not come to agreement with the FBI on access and other areas of cooperation.

*Question 3.* Of any security official implicated in the murder of Michel Gonzalez, how long did they continue to serve in their post and were they ever removed or prosecuted?

Answer. To the best of my knowledge, security officials implicated in the Gonzalez murder continued to serve in their post for some months after the murder. President Preval did eventually have them removed from the Palace security guard once we were able to substantiate to his satisfaction that they were involved in the shooting death of Gonzalez. As far as I am aware, none of these security officials has yet been prosecuted, reflecting among other elements, the inconclusive state of the SIU investigation and the sad state of Haiti's courts.

*Question 4.* Did the GOH ever conduct an investigation into the Gonzalez murder? What evidence do you have of these investigations? Did you ever ask the GOH to provide you with a report on the Gonzalez murder?

Answer. The Special Investigative Unit's investigation of the Gonzalez murder is active and ongoing. The Embassy, particularly through its contract American investigator, maintains regular contact with the SIU on the status of the Gonzalez case. Apart from the SIU investigation, I am not aware of any other GOH investigation of the Gonzalez murder.

#### GOVERNMENT OF HAITI SECURITY FORCES

*Question 1.* By what date had it become apparent that security officers for the Presidential Security Unit were being selected on a political basis? Which officers did Aristide entrust to manage the formation of the Presidential Security Unit? Did we have any concerns about these men? Were they implicated in the Bertin assassination?

Answer. The establishment and training of a Presidential Security Unit (PSU) goes back to 1993. Just after the signing of the Governors Island agreement on July 3, 1993, and the New York Pact of July 16, 1993, the Department of State's Bureau of Diplomatic Security began training the first group of PSU agents — a total of about 80, as I recall — at its Virginia facility. Most if not all of these were either personally selected or approved, or both, by exiled President Aristide. Given his near loss of life in the September 30, 1991, coup, I believe it was important to Aristide that his security personnel be persons he knew and trusted. Following his return to Haiti on October 15, 1994, until the present time, increasing emphasis and priority have been assigned to selection of PSU personnel on the basis of competitive merit exams.

When Aristide returned, he placed Palace Security operations in the hands of Fourel Celestin and Major Medard Joseph, and the Interim Public Security Force under Dany Toussaint — all three among his closest confidants following the coup. We had concerns about all three based on their record and involvement in subsequent negative developments including possible implication by two of them in the Bertin killings.

*Question 2.* When did U.S. officials first start becoming concerned about the threat these politicized security units posed to future Haitian presidents?

Answer. To the best of my knowledge, we had some concerns as early as 1995 as we sought to develop both a civilian, apolitical Haitian National Police (HNP) force as well as, similarly professional units at the Palace. Our goal of integrating the PSU and NPRG into the HNP required that these units be apolitical also and meet similar professional standards to those for HNP entry and retention.



Our concerns were considerably heightened in August 1996 when evidence developed that PSU members were present at the scene of the murders of opposition MDN political figures Leroy and Fleurival.

*Question 3.* Did any of these security officers have a record of political killings or other flagrant crimes before Aristide selected them for positions in his security detail? Did he remove these possible assassins from his security forces and prosecute them after you brought these concerns to his attention?

Answer. As far as I am aware, the original PSU members who were selected and trained in Washington were vetted for criminal activity only. A number of NPRG guards were former Haitian military, as well. Subsequent PSU selectees were given a more thorough vetting, including for human rights violations.

All of those removed from the Palace security forces based on our expressions of concern occurred under the Presidency of Preval.

*Question 4.* Why did President Aristide select officials for his security details that had questionable records and reportedly were involved in political killings while in government service?

Answer. Given his near loss of life during the 1991 coup, Aristide's primary consideration in selecting officials for his security detail, in my judgment, was likely that of their personal loyalty to him.

*Question 5.* Was there evidence that these so-called hit squads operating out of government security forces met regularly to formulate strategies for monitoring opponents of President Aristide?

Answer. While evidence from the FBI investigation pointed to existence of "hit gangs" possibly operating out of National Palace security units and the Interim Public Security Force's "Anti-Gang" unit, there was little detail available on any such meetings or monitoring strategies, to the best of my recollection.

*Question 6.* Of the opponents of Aristide the hit squads were monitoring, how many eventually were murdered?

Answer. I have not seen nor am I aware of any listing of Aristide's opponents for monitoring. I, therefore, do not know how many have been murdered.

*Question 7.* Was there evidence that these hit squads had the support of the GOH? Did Aristide or Preval attend any of the meetings of these hit squads?

Answer. It is as yet unclear from the evidence of which I have any knowledge that the GOH supported the hit squads, or that Aristide or Preval attended any meeting that hit squads might have held.

#### THREAT TO PRESIDENT PREVAL'S LIFE

*Question 1.* Did you fear President Preval's life would be threatened by some members of his security forces if he took steps to remove and prosecute those officers implicated in political assassinations?

Answer. I was concerned that the removal of the top leadership, including the director, and a number of Palace security agents, might introduce an element of confusion which could seriously disrupt normal security operations at the Palace. This was an important consideration in the decision to augment substantially the number of our own US security agents at the Palace.

*Question 2.* Was President Preval hesitant to remove and prosecute members of his security unit suspected of involvement in the Leroy-Fleurival murders? Why was he hesitant? Did he fear his life might be in jeopardy from his own bodyguards?

Answer. President Preval expressed an initial hesitancy to remove security agents suspected of involvement in the Leroy-Fleurival murders for several reasons, based on our talks as I recall them. At first, I believe that he was not convinced that they were involved, i.e., present at the scene of the murder. He also felt, in this regard, that without greater proof his credibility would be on the line with his security detail which in itself could result in a security problem for him.

*Question 4.* Would Preval have dismissed members of his security forces without the presence of U.S. security personnel to protect him?

Answer. It is difficult to know what Preval might have done in that hypothetical circumstance. It is my judgment, however, that he would have been far less likely to have dismissed members of his security forces without the presence of US security personnel.

#### CONGRESSIONAL OVERSIGHT

*Question.* Congressman Benjamin Gilman, stated in September 1996 that "despite some ten hearings and briefings before the Committee on Haiti during 1995, the Administration failed to inform us until January 1996 that it was aware of these death-squads, which began a year earlier."

1. Why was the Congress not informed of these hit squads until January 1996?

I am not aware when the Congress was first informed of hit squads in Haiti. To the best of my knowledge, the Administration has made every effort to keep the Congress informed on Haiti policy and developments.

---

UNITED STATES DEPARTMENT OF STATE,  
WASHINGTON, D.C. 20520,  
*October 2, 1998.*

THE HON. JESSE HELMS,  
CHAIRMAN,  
COMMITTEE ON FOREIGN RELATIONS,  
UNITED STATES SENATE.

DEAR MR. CHAIRMAN:

Following the October 1, 1998 nomination hearing at which Ambassador-Designate Joseph G. Sullivan testified, additional questions were submitted for the record. Please find enclosed the responses to those questions.

If we can be of further assistance to you, please do not hesitate to contact us.

Sincerely,

BARBARA LARKIN,  
ASSISTANT SECRETARY,  
LEGISLATIVE AFFAIRS.

Enclosures: As stated.

RESPONSES OF AMBASSADOR-DESIGNATE JOSEPH SULLIVAN TO WRITTEN QUESTIONS

*Question 1.* Please provide for the Committee all the cable traffic between the State Department and the U.S. Embassy in Angola, which reference the acquisition of C-130 aircraft or Lockheed L-100-30 by Transafrik International or the Government of Angola.

Answer. We are searching our cable traffic system and will provide the relevant documents as soon as they are available.

*Question 2.* What is the relationship between Transafrik International and the Government of Angola? Is Transafrik a parastatal organization, or a private organization? Please describe all of the air Operations, which Transafrik International conducts in Angola. Does Transafrik undertake any air operations for the government of Angola or the Angolan military?

Answer. Transafrik International Ltd. is a privately owned company incorporated in 1984 in the United Kingdom under the name of IMAC. The company is 95 percent owned by three individuals, Austrian Erich Franz Koch, Portuguese Joao Carlos Barao Rodrigues, and Mozambican-Portuguese Renato Herculano Herminlo. The company's 25 employees own the other five percent. The company's principal headquarters is in Luanda. The company has applied for incorporation of a subsidiary in Angola, but the Angolan authorities have not yet approved the application.

Transafrik executives state that the company owns five 727s and eight Lockheed L-382s. In addition, Transafrik has a bill of sale from Southern Air Transport, dated August 8, 1998, for five Lockheed L-100-30s. Five 727s and one L-382 operate in Angola (six L-382s work for the World Food Program (WFP) and the US Agency for International Development in Kenya and Southern Sudan and one is working out of Bahrain for UNSCOM relative to Iraq.) All of the Transafrik aircraft are registered in Sao Tome. Transafrik operates one Hercules owned by the Angolan Diamond parastatal Endiama. This Hercules was purchased by Endiama in 1984 and is registered in Angola.

Transafrik executives state that the company has an official policy of providing no air services for the Angolan Armed Forces or Defense Ministry and do not fly military equipment or troops. Its primary work in Angola is related to World Food Program relief flights, support for the United Nations Peacekeeping Mission (MONUA) and transport equipment for various diamond mining operations, including some work for the government parastatal diamond company, Endiama. Transafrik states that its aircraft has been leased occasionally by the Government of Angola for non-military purposes. For instance, they were used for the transport of vehicles for President Dos Santos' official visit to the province of Cunene last month and by MCNUA and the Ministry of Territorial Administration for the transport of materials to support the peaceful extension of state administration.

*Question 3.* What legal requirements did Southern Air Transport have when conducting a transfer of Lockheed L-100-30 aircraft to Transafrik International? Please list the U.S. laws which govern these legal requirements. What legal requirements does the United States Government have concerning such a transfer? Please list the U.S. laws which govern these legal requirements. Is there a requirement for the State Department to be notified of such a transfer if it is conducted by any other U.S. Government agency? Please list the U.S. law which states this requirement.

Answer. Legal requirements applicable to Southern Air Transport's transfer of Lockheed L-100-30 aircraft deal with certificates related to airworthiness. The transaction carried no requirement to notify a U.S. government agency of the transaction or to seek an export license.

There have been no U.S. export licensing requirements applicable to the civilian L-100-30 since 1991, following a 1990 decision by NATO members to abandon these controls on civilian cargo planes were under the purview of the Commerce Department. These controls are governed by the Export Administration Act. (Export controls for military cargo craft were and continue to be the responsibility of the State Department.)

Export airworthiness documents are issued by the Federal Aviation Administration (FAA). The FAA also publishes an Advisory Circular (AC) 21-2, entitled *Export Airworthiness Approval Procedures*. This document defines other countries import requirements for U.S. vendors. This AC does not contain specific provisions for Angola. Nevertheless, the Government of Angola issued a certificate, noting that Transafrik is authorized to operate its existing and future fleet in Angola, and also determined that Transafrik was not in contravention of UN sanctions against UNITA. At the request of the importing country, FAA then issued Export Certificates of Airworthiness stating the airworthiness condition of the aircraft for the export of the five Lockheed L-100-30s.

Finally, at the time of the transfer in question, August 1998, all U.S. persons were required to comply with the prohibitions of U.S. economic sanctions against UNITA (Angola). The UNITA (Angola) Sanctions Regulations, 31 C.F.R. Part 590, and Executive Order 13069 governed U.S. sanctions against UNITA (Angola) at the time in question; and these sanctions, which were supplemented by Executive Order 13098 on August 18, 1998, continue in force. The sanctions against UNITA are administered by the U.S. Treasury Department's Office of Foreign Assets Control. At the time in question, the U.S. sanctions against UNITA prohibited U.S. persons from, among other things, selling or supplying arms, related materiel of all types, and any aircraft or aircraft components, regardless of origin, to UNITA, or to the territory of Angola other than through specified ports of entry. For airports, these points of entry were and continue to be Luanda and Katumbela in Benguela Province. These sanctions also prohibited and continue to prohibit U.S. persons from servicing, maintaining, and insuring aircraft owned or controlled by UNITA and from providing aircraft-related services to certain aircraft registered in or flying to or from Angola.

*Question 4.* Understanding that there are a number of variants of the C-130, what are the basic technical differences between the C-130 and the Lockheed L-100-30? Do both aircraft have the similar operational capabilities?

Answer. The basic difference between the Lockheed C-130 and the L-100 aircraft is that the former is the military version, and the latter is the civilian version. The -30' on either aircraft indicates a stretch model that is longer in the fuselage than the standard model. The C-130 is designed and constructed for military-specific capabilities such as internal pallet handling for rapid loading/unloading and air drops of cargo; in-flight swing-down cargo door opening for air drops; and a paratrooper side door. By design, the L-100 is not capable of executing these military functions. It has no roll-on-roll-off pallet handling system; cannot open the swing-down cargo door while in flight; and has no paratrooper door on the side for air drop of personnel. Aside from these differences, the two aircraft are otherwise similar in engines, avionics, range, and payload.

*Question 5.* Despite bipartisan congressional opposition, Lockheed Martin has been pursuing the opportunity to sell C-130 aircraft to the Government of Angola. Specifically, the aircraft in question are part of an additional transaction with a third party. What is the status of these aircraft? Where are they located at this time? What is the status of Lockheed Martin's attempts to conduct this transaction?

Answer. In June 1997, a State Department export license was issued to Lockheed Martin for use of C-130 technical data in their marketing effort for the sale of C-130's to the Government of Angola. There was no export license for the sale of the aircraft at that time, nor has a license for sale been issued since then. Lockheed Martin has a contract with the United Kingdom Royal Air Force to replace 26 of their C-130K aircraft with new C-130J models. As such, they are in search of buy-

ers of the used UK C-130K aircraft internationally, which currently remain in the UK inventory. Any such sale would be contingent on transfer authorization and export licensing approval by the Department of State. Lockheed Martin continues to negotiate a contract for sale of the UK aircraft to the Government of Angola and expects they may have a contract signed in October or November 1998 for seven aircraft with a delivery beginning one year later. Upon receipt of a signed contract, Lockheed Martin will process the standard requests for export licensing with the Department of State. We understand that Lockheed Martin representatives briefed SFRC Professional Staff about ongoing C-130 sales initiatives to Angola on July 23.

*Question 6.* What is the current policy in regards to the U.S. relationship with the MPLA government in Angola?

*Answer.* The United States Government continues to urge both the Government of Angola and UNITA to seek a peaceful solution to the current impasse in the peace process. Our primary objective is to prevent the situation from escalating into another full-scale war in Angola. UNITA has failed to comply with many of its obligations under the Lusaka Protocol, and its resumption of military activity has prompted a military response from the Angolan Government. On September 24, we, along with fellow Troika observer nations, Russia and Portugal, delivered a statement urging both sides to return to the peace process. The Troika issued a strongly worded letter to Dr. Jonas Savimbi insisting he take immediate steps to comply with his Lusaka commitments. He has not responded. Some UNITA members of the Government of Angola and the National Assembly announced their disagreement with Savimbi's leadership and formed UNITARenovada (literally 'Renovated UNITA'). We will continue to support the UN-led Lusaka process and urge both sides to seek a peaceful settlement to the current crisis, which we want to prevent from escalating. We also want to protect and enhance the interests of the USG as well as U.S. private sector investors in Angola, as well as retain our ability to promote a negotiated settlement.